

**MINUTES OF THE REGULAR TOWN BOARD MEETING OF THE TOWN OF THURMAN HELD MARCH 17, 2009 AT THE TOWN HALL, 311 ATHOL ROAD, ATHOL NEW YORK, COMMENCING AT 7:00 P.M.**

**PRESENT: MR. LEON GALUSHA**

**MR. CHARLES BILLS**

**MRS. RUTH KELLER**

**MR. JAMES LIGON**

**MR. LAWRENCE PITKIN**

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

The meeting was called to order by **Mr. Lawrence Pitkin, Supervisor**

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

Roll call of Town Board Members by the Town Clerk

A moment of silence for our troops.

**MIKE SWAN, OFFICE OF REAL PROPERTY: Mike Swan**, from the Office of Real Property, Warren County, has offered to assess a random sampling of Town of Thurman properties [for free] to conduct an inventory audit in order to help determine the accuracy of assessments within the Town of Thurman, and compare his findings to the actual assessments. This is in response to an ongoing concern, by **some** area residents, that the assessments are unfair. **Mike Swan** and **Thurman Assessor Thomas Birdsall** feel it would behoove the Town of Thurman to seek an independent look by outside eyes. **Swan** is not suggesting that the assessors are doing anything wrong, his interest lies in clearing up confusion over property assessments. **Swan** and **Birdsall** feel that

clarification will allow us to move forward in a more positive manner. **Mr. Swan** also reassured us, that this information would not in any way pose a threat to the owners of the properties chosen. The results will be for comparison purposes only.

Discussion continued with many questions and concerns.

**APPROVAL OF THE FEBRUARY REGULAR AND SPECIAL MEETING**

**MINUTES:** Motion by **Leon Galusha**, seconded by **Charles Bills**

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

**PAYMENT OF CLAIMS:** Abstract **#31** general fund and **#13** Highway fund. On a motion by **Ruth Keller**, seconded by **James Ligon**

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

**SUSAN JENNINGS/RICHARDS LIBRARY:** **Susan Jennings** [on the board of trustees] spoke on behalf of the **Richards Library**. Richards Library is not a public library, therefore does not receive state aid. Donations are needed to keep the library afloat. **Mrs. Jennings** described the wonderful services offered to our community through **Richard's library**. She reminded us of the safe haven the library affords to area children. **Mrs. Jennings** reiterated that these services were made available through generous donations from the surrounding community. Finding out that the Town of Thurman donated through school taxes, **Mrs. Jennings** computed that the town wide donation amounted to \$600.00 per year. As the Town of Thurman is in many ways benefactors of this library system, the board of trustees seeks a larger contribution. **Mrs. Jennings** [acting on behalf of the board of trustees] suggested the Town

of Thurman contract a \$5,000.00 line item to the **Richard's Library** each year.

**REPORT FROM SUPERVISOR PITKIN:** Supervisor Pitkin said he was doing research on ways of bringing broadband to Thurman. Pitkin said that Thurman needs to be sure not to get involved in something that will peter out. He said that if we make the move to bring in broadband, let's do it well.

**REPORT FROM CONCILMAN LIGON:** Councilman Ligon gave an update on the town's computers and incoming server. Ligon thanked Bill Keller for his work on a personnel policy and promised to have this policy printed for all to see when it is finished. Ligon reminded everyone of the Youth Commission Easter party on April 4, 2009 from 1:00 to 3:00. He also said that the Youth commission was looking to buy a storage shed, some holiday items have come up missing, so the Youth Commission would like to keep things locked up. The next Occupancy Tax Committee meeting will be, Friday April 17, 2009, 10:00 a.m. at the town hall. Councilman Ligon added that occupancy tax money is generated by bed tax and does not come out of taxpayer's pockets

**NEW BUSINESS:**

**GARBAGE PICKUP:** A resolution [to be written] to authorize the highway crew to take over the town garbage pickup [in the interest of keeping costs down]. On a motion by Lawrence Pitkin, seconded by Leon Galusha

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

**CEMETERIES:** A resolution [to be written] to authorize the highway crew to clean up the cemeteries in time for Memorial Day and then to

hire two workers to keep up cemetery maintenance for the rest of the season. On a motion by **Leon Galusha**, seconded by **Charles Bills**

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

**RIGHT OF WAY, JOHN HASKELL:** On a motion by **James Ligon**, seconded by **Charles Bills**, the board went into **executive session** at 8:26 p.m.

On a motion by **Leon Galusha**, seconded by **Ruth Keller**, the board returned from **executive session** at 8:34 p.m. A resolution [to be written]authorizing a correction of the deed granting the right of way to **John Haskell**, to the former deed that did **not** grant a right of way, also a letter to be sent to Mr. Haskell regarding this decision. On a motion by **James Ligon**, seconded by **Ruth Keller**, the board approved the decision to correct the deed.

**ROLL CALL:** Keller **yes** , Ligon **yes** Pitkin **yes**  
Galusha **abstain**, Bills **abstain** ~ **MOTION CARRIED**

**RESOLUTION #49:** A resolution to establish a \$100.00 petty cash fund for the town justice. On a motion by **Leon Galusha**, seconded by **Charles Bills**

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

**RESOLUTION #50:** A resolution establishing a general type capital reserve fund for a town improvement project. On a motion by **Leon Galusha**, seconded by **Charles Bills**

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

**RESOLUTION #51:** A resolution authorizing the transfer of the unexpended balance in the capital reserve fund. On a motion by **James Ligon**, seconded by **Ruth Keller**

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

**CAPITAL RESERVE FUND:** The town board would like to refocus the **capital reserve fund**, which was intended for the town garage, to be used for all town buildings. Any capital project will be subject to permissive referendum. The town clerk was asked to post a notice concerning this.

**RESOLUTION #52:** A resolution to appoint **James Ligon** as the computer system liaison for the town of Thurman. On a motion by **Ruth Keller**, seconded by **Leon Galusha**.

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

**RESOLUTION #53:** A resolution to authorize the purchase of a shed for the youth commission. On a motion by **Ruth Keller**, seconded by **Leon Galusha**.

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

**JIM LIGON:** Asked the board to look over the animal control law that **Dexter Baker** has been working on so it could be discussed at the next meeting.

**LETTERS:** The town clerk read letters from **Terry Beadnell, Tom Stodderd, Robert Anthoine, and Whittemore, Downen and Ricciardelli, LLP.**

**INVENTORY AUDIT ASSESSMENTS:** A resolution [to be written] to authorize **Mike Swan** [of the office of real property] to do an inventory audit in order to help determine the accuracy of assessments within the Town of Thurman. On a motion by **James Ligon**, seconded by **Leon Galusha**.

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

**PRIVELEGE OF THE FLOOR:** **Pierre Cyr** asked how much [money] was in the capital reserve fund and how much [money] on top of that. **Pitkin** said that there was \$354,000.00 in the capital reserve fund and about \$600,000.00 fund balance in the general fund. **Cyr** had researched past minutes [to see comments made about money that the town had or did not have] and handed out excerpts from previous town meetings.

Resolution # 7 from January 4, 2006 minutes which states the supervisor is in charge of all investments. Also from November 8, 2006 minutes, the capital reserve fund for the highway garage is said to be \$400,000.00, [now it is \$350,300.00]. The June 17, 2007 minutes reads, according to Mr. Prindle, the town has approximately \$900,000.00, of which \$328,000.00 is in a CD and not a Federal Reserve account. In the November 5, 2008 minutes **John Haskell** states that there is not \$830,000.00 in all of our accounts. In the December 18, 2007 minutes **Keller** stated in regards to the budget public hearing that she was concerned about \$335,000.00 that wasn't there and that she believed there was \$830,000.00 in CD's and money market accounts.

**Cyr** pointed out that **John Haskell** disagreed with **Councilwoman Keller** [at past meetings] over how much money the town had. **Haskell** would

give reasons such as, the money was listed in the wrong report or the secretary is new or there is a computer glitch. **Cyr** said in the beginning he thought **Keller** was in left field but now knows that she was virtually right all along.

**Councilman Ligon** said that several people had suspected there was a problem. There were inconsistencies, there was something going on but we weren't told what it was. In 2008 there was no rhyme or reason to the bookkeeping of this town. The auditors were here for months and are still trying to figure out what happened. **Ligon** said that when we get the report we will make the necessary changes and deal with any issues because we don't want this to happen again. **Ligon** said that we have 2009 to run and can't keep turning back. **Pat Wood** stated that resolution #7[CFO] is part of how this happened, a CFO can do whatever he wants, what's to stop any supervisor from putting money in CD's and keeping the board in the dark. **Supervisor Pitkin** went on to explain that he had consolidated accounts except for the Capital reserve fund and that a much better system of checks and balances was in place. **Pitkin** said that the problem in the past was that the system of checks and balances didn't work. **Pat Wood** said that all this could happen again with a new board. **Jim Ligon** said one change they made was to separate the secretary position from the bookkeeper position. **Haskell** always appointed the secretary/bookkeeper. Now the board appoints the bookkeeper and the supervisor appoints his secretary.

Discussion continued contemplating the present transparency of the books and how the problem in the past was that the town books were shrouded in secrecy.

**CAPITAL RESERVE FUND**: Discussion ensued regarding the capital reserve fund being refocused from the highway garage to all town buildings. **Supervisor Pitkin** explained that residents would have a say in how this money would be spent. Any project considered [using capital reserve funds] would be subject to permissive referendum. If any town residents were to object to a purposed project, they could circulate a petition and with enough signatures the plan would be subject to a vote.

**HIGHSPEED INTERNET**: Bringing high speed internet to Thurman was the next topic of conversation. Several people in the audience had ideas on how to attract the attention of internet providers. **Councilman Ligon** suggested looking to wireless as this was the wave of the future. **Supervisor Pitkin** talked about Wiremax which **may** become available through the county. **Pitkin** said that Wiremax could also possibly tie into cellular phones.

**DICUSSION**: **Joyce Eddy** said that she would like to follow up on the information **Pierre Cyr** passed out, **Eddy** said she was confused and would like to address her questions to **Ruth Keller**. **Eddy** referred to the **12/18/2007** minutes where Keller says she thinks there is **\$830,000.00** in CD's and money market accounts. **Joyce Eddy** said that the Journal states in 2009 that **Ruth Keller** says she didn't know the money existed. **Eddy** thought this sounded like a contradiction, saying she knew in 07 and didn't know in 09. **Councilwoman Keller** said that when she asked the previous board about the money that she [**Keller**] thought was there she was always told it didn't exist. **Councilman Ligon** said that by January 2008 it [the excess money] was gone. **Joyce Eddy** said she wasn't talking to **Ligon** she was talking to **Keller**. **Pierre Cyr** said that

**Eddy** should read the minutes. **Joyce Eddy** said she had and she wanted to know why the bookkeeper's report wasn't attached to the minutes anymore. **Leon Galusha** said he didn't have the bookkeepers report either. **Cynthia Hyde** [town clerk] said that all the board members receive a report and that a report is attached to the official minutes. **Hyde** also said that she didn't feel the board needed an extra report attached to their set of minutes as this was a waste of paper. **Susan Shepler** [account clerk] said that **Mr. Galusha's** report was in his mail box. **Eddy** said that the secretary's report from October 2008 gives a balance of \$419,701.00 and no one seems to care about that particular figure or the November 2008 report. **Joyce Eddy** then said, so if we're not going to be donkeys, or are not proud of living in Thurman, she didn't think you should publish anything in the news as a board [representing tax payers] without having full knowledge of the audit and specific figures. **Keller** said that the article **Eddy** was talking about must be from **John Alexander**. **Keller** also said that when Mr. Prindle gave her the figures, and she [**Keller**] questioned the previous board about it, she was told it [the money] didn't exist. **Loren Eddy** stated that he thought it was funny that there was a monthly report made every month when **Haskell** was here and in November 08 it states 400 some thousand dollars plus \$350.000 in the capital reserve, that comes to \$750,000.00 . **Councilman Ligon** said he understood **Loren Eddy's** confusion; **Ligon** said the board was confused too. **Joyce Eddy** said that she wasn't addressing **Ligon**. **Pitkin** said out of fairness **Loren** had asked a question. **Joyce Eddy** said that putting things in the newspaper and passing things around shouldn't be happening if we are [as **Pitkin** had once remarked] healing. **Councilwoman Keller** said that the newspaper had contacted her and that she had not given any statements; what

**Mr. Alexander** had put in the paper were facts that he had gleaned from the board meeting he had attended.

**Bill Keller** [directing his statement to **Supervisor Pitkin**] asked if it would be safe to say that the Town books were in a shambles, for the previous year and up until the time the new bookkeeper was hired and the town was audited, would that be a safe statement? **Supervisor Pitkin** said that the books weren't in good shape. **Bill Keller** also said that it took state auditors months to audit the town books [Mr. Prindel spent less than a day when he did the audit] and they still haven't figured out what is going on. **Bill Keller** asked **Pitkin** if it was safe to say that when he [**Pitkin**] took office the town books were not in pristine condition, like they should be. **Keller** asked if this was a true statement. **Supervisor Pitkin** answered "yes". **Bill Keller** said that everyone can say whatever they want but the books were in a shambles and that is factual. **Keller** said that it took 2 auditors one week to audit an 88 million dollar budget [at Bard where **Keller** works] and he finds it hard to believe it took 2, sometimes 3 state auditors, months to audit Thurman's 1.2 million dollar budget.

**Supervisor Pitkin** said that [in response to **Joyce Eddy's** concern over giving out information before the audit report is out] he felt in the interest of transparency, that the information that came out of the audit was of sufficient importance; and he [**Pitkin**] felt that people had the right to know about it. **Pitkin** said that, it's not pretty, I'm sorry, it doesn't make Thurman look great, I'm sorry for that too. **Pitkin** said that we have to recognize what we have done wrong and we have to start somewhere. **Joyce Eddy** said that she thought it would have been

more fair after the audit report. **Supervisor Pitkin** said that he didn't think it was fair to keep people hanging for 4 months.

Questions were asked regarding taxes going up in spite of the excess fund balance. **Councilwoman Keller** said she had voted no on past budgets. **Councilman Ligon** said the financial reports in the past were garbage. **Keller** said the supervisor had the right to hire a secretary and then also made them the bookkeeper, which was unfortunate.

**Pierre Cyr** thought **Supervisor Pitkin** should read past minutes because he hadn't attended past meetings. **Councilman Ligon** said that he thought it was good that Pitkin had come in without previous knowledge as this made him neutral.

Everyone was reminded that the school board is working on the school budget.

**ADJOURNMENT:**

With no further business on a motion by **Councilman Galusha**, seconded by **Councilwoman Keller** the meeting was adjourned at 9:52 p.m...

Respectfully Submitted,

Cynthia Hyde, Town Clerk

March 17, 2009

Attached: Abstract approval, resolutions 49, 50, 51,52, 53, Thank you from Terry Beadnell, resignation letter from Tom Stoddard, letter from

MARCH 17, 2009 REGULAR MEETING

Robert Anthoine, Excerpts from past meeting minutes, and the Treasurer's report.