

**MINUTES OF THE REGULAR TOWN BOARD MEETING OF THE TOWN OF THURMAN HELD APRIL 21, 2009 AT THE TOWN HALL, 311 ATHOL ROAD, ATHOL NEW YORK, COMMENCING AT 7:15 P.M.**

**PRESENT: MR. CHARLES BILLS**

**MR. JAMES LIGON**

**MR. LAWRENCE PITKIN**

**ABSENT: MR. LEON GALUSHA**

**MRS. RUTH KELLER**

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.

**APPROVAL OF THE MARCH 17, 2009 MINUTES:** On a motion by **James Ligon**, seconded by **Charles Bills** the minutes were approved.

**MOTION CARRIED: 3 AYES ~, LIGON, BILLS, PITKIN**

**PAYMENT OF CLAIMS:** Mileage to **Justice Riviello** was denied. The electric bill for the landfill was approved. **Councilman Ligon** asked how many elements the hot water heater had. **Supervisor Pitkin** said that he would look into it. On a motion by **Charles Bills**, seconded by **Lawrence Pitkin**, payment of the claims from abstract # **12** general fund and # **57** Highway fund, with the exception of voucher # **20090214**, was approved. **MOTION CARRIED?: 2 AYES ~ BILLS, PITKIN /ABSTAIN ~ LIGON**

**PUBLIC HEARING**: Commencing at 7:20 P.M. **Zachary Monroe**, on behalf of **Brandon Reo** and **Marianna Wekow**, presented a purposed 4 lot subdivision located on the north and south sides of Garnet Lake road. **Monroe** said that this is a subdivision of land and that no buildings are being considered at this time. The 4 lots are 5 acres, 5 acres, 16 acres, and 12 acres. Questions were asked about zoning and future plans for these parcels. **Mr. Monroe** said that three of the lots would be sold. **Supervisor Pitkin** stated that each lot **could** legally have one home and a guest house [with size restrictions on the guest house]. All those desiring to be heard were heard. The public hearing adjourned at 7:28 P.M...

**SUPERVISORS REPORT:**

**Supervisor Pitkin** congratulated **Nettle Meadow** goat farm on their television appearance.

**Pitkin** said that the new server was up and running. **Councilman Ligon** added that the new server backs up daily work several different ways. **Supervisor Pitkin** stated that a good computer security system was in place. All computers in the town hall are networked with the server performing daily backups of town work.

**Pitkin** brought up the possibility of yearly garbage pickup on Sky High Road.

The **spring** land fill hours will be Wednesdays 12:00 to 3:00 and Fridays 12:00 to 3:00, along with the regular weekend hours [starting May 6, 2009].

**Garbage pickup** days will change the last week in April. Thursday garbage pickup changed to Wednesday, Friday garbage pickup changed to Thursday and recyclables picked up on Friday.

**REPORT FROM COUNCILMAN LIGON:**

**Councilman Ligon** reported that the Occupancy Tax committee met Friday April 24. Three proposals came forward. The occupancy Tax committee asked the town to share in the cost of the Thurman website. The Thurman Website contains a lot of tourist related information, now it also has the Town Clerk web page, hence the sharing of the fee.

On a motion by **Lawrence Pitkin**, seconded by **Charles Bills** the Town Board agreed to share the cost of the Thurman website with the Occupancy Tax Committee. The town will be responsible for 50% of the North Country computer bill.

**MOTION CARRIED: 3 AYES ~, LIGON, BILLS, PITKIN**

**HIGHWAY REPORT COUNCILMAN LIGON:** **Councilman Ligon** said that **Highway Superintendent Pat Wood** was pleased with the purchase order system. **Ligon** also reported that all snow gear has been removed, the roads are swept, the crusher is ready to go and the highway crew is prepped for paving a ½ mile section of Garnet Lake road and the first 10<sup>th</sup> of a mile of Henry Wescott Road. A sand vein was found at the landfill, shoulder maintenance is being done on Drexel Road and the highway crew is ahead of schedule.

**MAPLE DAYS:** **Councilman Ligon** stated that Maple Days 2009 was a record breaker. The **Jack Wax** dinner was a success, proceeds were

matched by **CR Bard** and the money was donated to the **American Cancer Society**.

**YOUTH COMMISSION:** **Councilman Ligon** reported that the Easter Party was a big success. **Ligon** thanked all that helped, especially **Don** the Easter Bunny.

**INSURANCE:** **Supervisor Pitkin** recommended **NYMER Insurance** [for town coverage], which has an A rating, for a savings of \$8,000.00. On a motion by **Charles Bills** seconded by **James Ligon** the board chose **NYMER Insurance**.

**MOTION CARRIED:** **3 AYES ~, LIGON, BILLS, PITKIN**

**ATV'S:** Discussion ensued regarding the **S.A.F.E.** ATV clubs use of sections of town roads to access trails. **Joan Harris** described **S.A.F.E.** as a responsible law abiding club. **S.A.F.E.** adheres to motor vehicle law; they are insured, wear helmets, practice speed management and noise abatement. **S.A.F.E.** patrols their trails and checks for maintenance. Children under 18 are only allowed to ride with an adult. **Harris** said that **S.A.F.E.'s** laws are more stringent than the New York State law. When asked about protecting the forest preserve, **Harris** said that they had not asked to ride on the forest preserve. **Harris** also said that if club members spot abusers they call the sheriff. **Charles Bills** asked if the club wore specific shirts. **Harris** said they identify themselves with club decals. **Carolyn Cyr** asked if attorneys had been consulted about allowing use of town roads. **Harris** stated that it would be impossible to stop unsafe riding by other people. When asked who could join the

**S.A.F.E.** club **Harris** replied that anyone could join. **Harris** said that there were 60 members. She said that when they have a poker run the number of vehicles on any given trail is limited. **Pat Wood** said that there were some trouble spots and wondered about a weekend ATV patrol. **Wood** said the lower end of Mud Street has ATV issues [these issues concern kids not the **S.A.F.E.** club] **Suzie Baker** said that there are kids riding dangerously. **Councilman Ligon** said that **S.A.F.E.** members have been great. **Pierre Cyr** asked if the public could know who the property owners were that allowed use of their land. **Joan Harris** said that the public didn't need to know; signs would be going up indicating where **S.A.F.E.** was using road sections. **Supervisor Pitkin** stated that if the board was approving this they needed to know. **Harris** replied that in that case, the snowmobile club should also have to reveal that information. **Pat Wood** said that signs are needed anywhere **ATV's** use roads. **Joan Harris** stated **S.A.F.E.** would need a May 1 opening. **Supervisor Pitkin** said that a resolution would be written up to continue the agreement with the **S.A.F.E.** **ATV** club with the stipulation that an attorney be consulted regarding any possible liability. On a motion by **Charles Bills** seconded by, **James Ligon** the board approved this agreement.

**MOTION CARRIED: 3 AYES ~, LIGON, BILLS, PITKIN**

**ANIMAL CONTROL LAW:** **Dexter Baker** updated the 1996 town law on animal control. **Jim Ligon** said that the term dog control officer was deleted, he felt it maybe should be put back in. **Ligon** said he needed to check the law on this. **Supervisor Pitkin** said he talked to **Dexter** about training for protection and giving tickets. **Pitkin** said that **Dexter** had put

a lot of work into this law and that he appreciated it, however training was important. **Dexter Baker** asked if the board had showed the law to an attorney. **Councilman Ligon** said that they had not, but had previewed it and thought training a good idea. **Supervisor Pitkin** suggested the animal control law be tabled until after training.

**PETITION:** A petition was presented to the Town Board [see attached]. **Supervisor Pitkin** read the petition, and then went on to explain that the second floor is just being considered. Pitkin read a letter that he had prepared clarifying the Town Board's intentions for the capital reserve fund [see attached]. **Pierre Cyr** said that he thought **Pitkin** had made it clear at the last meeting. **Pitkin** said that he should have explained the capital reserve fund in more depth. Discussion continued regarding the misunderstanding surrounding the capital reserve fund. The board had not made any plans for this money but had merely refocused the funds to be used for all buildings. Any future plan using capital reserve funds would be subject to permissive referendum. **Charles Bills** said that people thought the money could be used to lower taxes but legally it [capital reserve money] can't be used for that. **Supervisor Pitkin** stated that as a board we need to think things out and communicate our plans well. **Pitkin** and **Ligon** said that this petition needed to be addressed. **Ligon** said that the petition presented wasn't relevant, there were not any plans to be petitioned against.

**SPENDING APPROVAL:** Pat Wood asked for approval for spending pertaining to blasting on Garnet Lake Road and Henry Wescott Road to allow for proper road width and drainage in the amount of \$3,800.00 to

Alpha Drilling and Blasting. On a motion by **Charles Bills**, seconded by **James Ligon**, the spending was approved.

**MOTION CARRIED 3 AYES ~ Ligon, Bills, Pitkin**

**FUND BALANCE**: **Jim Mosher** asked the board if they knew what they were going to do with the excess fund balance. **Supervisor Pitkin** said that the board would make decisions after the audit report. **Pitkin** added that the board would like to offset taxes. **Jim Mosher** wondered what we could expect for this year. **Councilman Ligon** remarked that the preliminary budget showed a 63% increase. The Town Board[ when the budget process fell in their lap] had no knowledge of what had been spent, no way of knowing how much it cost to run this town and was not sure if there were any debts to be paid. **Ligon** added that the board didn't have answers on how to handle the excess funds at this time. **Supervisor Pitkin** said that revenues this year are unsure so we don't know what the end results will be.

**ASSESSMENTS**: Some questions were raised concerning assessments. It was decided to attend to this subject after **Mike Swan**, from the Office of Real Property, finished his evaluation of assessments.

**1% Sales Tax Increase**: Discussion ensued regarding the possible sales tax increase.

**TOWN HALL ROOF**: **Councilman Ligon** said that the town hall roof has been slated for replacement for a couple of years now. **Supervisor Pitkin** suggested putting a presentation together. **Ligon** said that we need to get this project underway. **Pitkin** stated that he could present an idea for the roof. **Ligon** replied that it is a long process and we need to get started. **Supervisor Pitkin** went on to describe possible plans

which included, space for the court, an upstairs office for the assessors, handicap access, parking, the roof and insulation. It was mentioned that the **Harris House** could be offered to the **Historical Society** and be shut down for the winter. **Joan Harris** said to be careful with plans for the front yard because a time capsule is buried there. **Councilman Ligon** repeated that he would like to get going with the roof. **Pitkin** said that we could have our maintenance man throw on a roof. **Pitkin** and **Ligon** both agreed it [the roof] would need to go out for bid. **Councilman Ligon** affirmed that we need to agree on what we want for a roof, put an ad in the paper and be ready with a plan at the next meeting.

**ADJOURNMENT:**

With no further business on a motion by **Councilman Ligon** seconded by **Councilman Bills** the meeting was adjourned at 9:40 p.m...

Respectfully Submitted,

Cynthia Hyde, Town Clerk

April 27, 2009