

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

PRESENT: MR. LEON GALUSHA

MR. JAMES LIGON

MR. LAWRENCE PITKIN

ABSENT: MR. CHARLES BILLS

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 APRIL 21, 2009 MINUTES: On a motion by **Leon Galusha**, seconded by **James Ligon** the minutes were approved.

MOTION CARRIED: 3 AYES ~, LIGON, GALUSHA, PITKIN

PAYMENT OF CLAIMS: On a motion by **James Ligon**, seconded by **Leon Galusha** payment of claims from abstract #17 General[\$4,600.10], #18 General[\$10,200.07] and #59 Highway fund [A and DA \$14,896.61] was approved.

MOTION CARRIED: 3 AYES ~, LIGON, GALUSHA, PITKIN

OFFICE OF REAL PROPERTY MIKE SWAN: Mr. Mike Swan, Director of the Office of Real Property Warren County, New York, presented the Thurman Inventory Review to the Thurman Town Board. This inventory was done on a random sampling of Thurman properties [see attached]. After the presentation those in attendance asked questions.

One of the hot topics was waterfront. **Mr. Swan** said that because there was so much give and take on this subject he looked to see where waterfront came into the files and found that waterfront appeared on the files during **Charlie Reynold's** [former assessor] time. **Swan** felt this issue should be revisited.

Swan found that there was a problem with effective age and actual age. For example, a house that was built in 1960 and then remodeled in 1985 would have an actual age of 1960 and an effective age of 1985. **Swan** said that 40% of the files were missing the effective age. He said it was important to have effective age on all or none. **Swan** noted that effective age would impact evaluation when using cost but would not impact evaluation using sales.

Mr. Swan said that it would be unnecessary to do a data collection prior to a revaluation. **Swan** said he was impressed with his findings and felt with a few minor corrections Thurman assessments would be in good shape.

QUESTIONS: **Councilman Ligon** asked what would happen when waterfront was taken off of a property. **Swan** answered that it would depend on how much value is attributed to the whole parcel. **Swan** said that the properties that he looked at and thought shouldn't be waterfront had a small amount of value added because of the

waterfront description. As an example, **Swan** said a \$70,000.00 property with a \$1,500.00 to \$3,000.00 contribution, because of waterfront, would not see a major decrease. **Swan** also said that if waterfront was taken off a property everything else would remain the same.

Brian Hall asked why the tentative roll hadn't been put on the internet. **Mr. Swan** said that no one had asked him to put the assessment roll on the internet. **Mr. Swan** then changed his mind and said that some had asked him to put the assessment roll on the internet and some had asked him not to put the assessment roll on the internet. **Supervisor Pitkin** said that some of us were concerned with putting data such as exemptions [senior and veterans] on the internet for fear of abuse from telemarketers and the like. **Brian Hall** said "isn't that public record". **Supervisor Pitkin** went on to say that the county has a program that excludes those exemptions to protect people. **Pitkin** said that he pursued this after talking to **Sheriff York** who agreed that maybe not all of the information on assessment rolls should be on the internet. **Brian Hall** replied that all the Warren County towns except Thurman, Johnsbury and Stony Creek are on the internet [exemptions and all]. **Hall** said that he can't understand why Warren County won't give us public information. **Mike Swan** said that the tax roll was not his information, it was the towns information and that he needed the towns permission to put this information on the internet.

Joyce Eddy wanted to know what would be considered waterfront. **Swan** said that the first thing he looked for was water, a brook, pond, something substantial to designate the property waterfront. **Swan** found some waterfront properties that he felt weren't waterfront.

Cynthia Hyde said that she had waterfront property. **Hyde** said that she just heard **Mike Swan** say that waterfront appeared on properties when **Charlie Reynolds** was assessor and that she had also been told by the present assessors that **Reynolds** was responsible. **Hyde** said that she went upstairs [in the records room] to look at the rolls and saw that her property wasn't waterfront when **Hollis Combs** owned it, it [Hyde's property] wasn't waterfront until she and her husband had bought it and the present assessors were in office then. **Mike Swan** replied that he couldn't answer that and that **Hyde's** property may have been one of the ones he kicked [**Swan** looked at all the elected officials properties]. **Swan** said that he would have to retract a little from that and say the properties he looked at went back to the mid nineties.

Cynthia Hyde stated that earlier **Mr. Swan** had said that some people wanted him not to put the assessment roll on the internet and some people did want him to put the assessment roll on the internet. **Hyde** said that **Mr. Swan** must have had to make a decision regarding who had the authority to request this information be put on the internet. **Hyde** asked **Swan** if he thought the records management officer [who is also the town clerk] would have the authority to request that the assessment roll be put on the internet. **Mr. Swan** said that yes they [the RMO] would but that he had a different authority to answer to and that is 22 members of the board of supervisors who are his bosses and pay his salary. **Swan** said that when one member of that board says no, then he doesn't put the assessment roll on the internet. **Supervisor Pitkin** stated that many of the supervisors felt that they were going to adopt Queensbury's policy [to exclude exemptions] and use their software. **Cynthia Hyde** asked when that was going to happen and said that we have been waiting for months. **Supervisor Pitkin** said that he

would follow up on it. **Mike Swan** added that the people he is relying on to do this [set up Queensbury's software] have other more important things to do. **Supervisor Pitkin** asked **Swan** when he anticipated this would be done. **Swan** said that he really couldn't answer that. **Supervisor Pitkin** stated that if it was going to be a significant amount of time he would change his position on that [waiting on the exemption excluding software] and say let's get it [the assessment roll] out there. **Councilman Ligon** reiterated just to clarify is it [the assessment roll] public information, yes it is public information. **Ligon** said that he also had talked with **Sheriff York** who said that there has been no crime wave or arrests based on information that has been put on the county website. **John Schroeder** added that in New Jersey every property along with details are on the internet and there had not been any problems. **Ed Binder** stated that he had learned in school that fiscal information was public but salary and income information was not public. **Binder** said that as a matter of fact we [the assessors] have a lot of that information locked up so it can't be public. **Supervisor Pitkin** interjected that the subject was parcel information. **Ed Binder** went on to say that some people are talking about putting exemptions [on the website] and that sort of information, which he did not believe was public. **Mike Swan** replied that if you look at the paper copy of the assessment roll [found at the assessor's office and the Warren County Municipal Center] it will tell what exemptions people have but not how they qualified and that exemptions were public information. **Ed Binder** said that if anyone wants to search that information out they should go to **Mike Swan's** office. **Supervisor Pitkin** said that he thought that the point they were discussing was that this information [assessment roll] is unnecessarily difficult to find, especially since it is in the public domain.

Pitkin said that his intention [when he asked **Mike Swan** not to put the assessment roll on the internet] was not to make it difficult to access this information but to protect the elderly who might be more likely to be victimized by people on the internet. **Pitkin** added that if that [crime] in fact is not happening, and if the assessment roll isn't going on the website [using Queensbury's software and in a timely manner] then we need to get the assessment roll [as it is] on the web. **Cynthia Hyde** said that there had been a recent amendment to the law [regarding tax rolls and inventory]. **Hyde** said she had talked to **Robert Freeman** [Chairman, Committee on open government Albany, N.Y.] about this and had been sent a copy of the amendment which she would furnish at the next meeting.

DEXTER BAKER PETITION: **Dexter Baker** reported that he had circulated a petition about safety measures particularly pepper spray and a bite stick. The residents who signed the petition felt that with training **Baker** should have these items. **Mr. Baker** had covered 71.9% of the town and obtained over 200 signatures, and feels he has a decent representation of the town people's feelings. **Baker** also discussed these safety measures with other animal control officers, veterinarians and the Department of agriculture and markets. Several Members of the Town Board contacted veterinarians, and police officers for expert opinions. The concession was that pepper spray and bite sticks were unnecessary and would in fact put the animal control officer in danger. All the Town Board Members felt that **Baker's** safety was paramount, therefore the board decided these safety devices would not be used.

REPORT FROM THE SUPERVISOR: **Supervisor Pitkin** reported that the county has a 6.3 million dollar budget deficit. **Pitkin** said that the 1%

sales tax increase was voted down. He had hoped this would pass to offset a tax increase for residents. The budget deficit could mean a 17% tax hike, 24 county employee layoffs and no money for the tourist train.

Supervisor Pitkin said that he was looking into a new phone company in an effort to save money.

Councilman Galusha asked about high speed internet. **Pitkin** said that the county was looking into it. There was discussion regarding possible ways of bringing in high speed internet, wireless as opposed to wired and cell towers being used.

REPORT FROM COUNCILMAN LIGON: **Councilman Ligon** reported that the **Youth Commission** had their storage shed set up and that summer program applications [for counselors] were being considered. **Ligon** read the Occupancy Tax Committee report [see attached].

HIGHWAY: **Councilman Ligon** reported that July is the target month for the county to pave roads and the highway crew has been getting ready. **Ligon** said that the cemeteries are being groomed and that Champlain Stone donated some nice stone to the town.

NEWSLETTER: **Supervisor Pitkin** announced that a town news letter [authored by **Supervisor Pitkin**] is in the works to provide communication between the Town of Thurman local government and town residents.

RESOLUTION # 59: A resolution to change the hours of the part time Thurman account clerk from 16 hours to 24 hours. On a motion by **James Ligon**, seconded by **Leon Galusha**

MOTION CARRIED 3 AYES ~ GALUSHA, LIGON , PITKIN

RESOLUTION # 60: A resolution to change the hours of the Supervisor's Secretary from 24 hours to 16 hours. On a motion by Leon **Galusha**, seconded by **James Ligon**

MOTION CARRIED 3 AYES ~ GALUSHA, LIGON , PITKIN

RESOLUTION # 61: A resolution to approve a payment to Sugarloaf Senior Citizens out of adult recreation contractual [A7620.4] for the year 2009. On a motion by **Leon Galusha**, seconded by **James Ligon**

MOTION CARRIED 3 AYES ~ GALUSHA, LIGON, PITKIN

RESOLUTION # 62: A resolution to approve the Reo/Wekow subdivision. On a motion by **James Ligon**, seconded by **Leon Galusha**

MOTION CARRIED 3 AYES ~ GALUSHA, LIGON, PITKIN

RESOLUTION # 63: A resolution to approve a 50 pound maximum weight for garbage bags left out for the trash pickup. On a motion by **Leon Galusha**, seconded by **James Ligon**

MOTION CARRIED 3 AYES ~ GALUSHA, LIGON, PITKIN

RESOLUTION # 64: A resolution to authorize advertising for bids for the replacement of the roof of the Thurman Town Hall. On a motion by **James Ligon** seconded by **Leon Galusha**

MOTION CARRIED 3 AYES ~ GALUSHA, LIGON, PITKIN

DISCUSSION: **Supervisor Pitkin** said that when the present roof was put on 16 years ago the job was poorly done; now the roof needs to be replaced. Money from the capital reserve fund will be used as the last resort. **Pitkin** and **Justice Riviello** are looking into using grant money. A grant had been awarded to the town court for use on the court room,

which is presently in the Harris House. **Supervisor Pitkin** plans to move the court into the town hall and will try to use the grant money on the town hall roof.

RESOLUTION # 65: A resolution to authorize the Highway Superintendent and the Supervisor, upon concurrence of both officials, to approve purchases in excess of \$1000.00, if failure to execute such purchases would cause harm to the performance of town functions. On a motion by **James Ligon** seconded by **Leon Galusha**

MOTION CARRIED 3 AYES ~ GALUSHA, LIGON, PITKIN

Supervisor Pitkin explained that in the past, when an important part was needed, board members would be called on the phone. This is against the open meetings law. This resolution prevents a quorum therefore complies with the open meetings law.

RESOLUTION # 66: A resolution to authorize Occupancy tax expenditures. On a motion by **James Ligon** seconded by **Leon Galusha**

MOTION CARRIED 3 AYES ~ GALUSHA, LIGON, PITKIN

PRIVILEGE OF THE FLOOR: Discussion ensued regarding the excessive number of Warren County Deputy Sheriffs and their penchant for pulling motorists over.

Councilman Ligon asked the board to review and comment on the town policy. **Ligon** said that he would like to fine tune the policy, have it reviewed by the town attorneys and then vote on it in June. **Supervisor Pitkin** thanked **Councilman Ligon** for his work.

LETTERS: The town clerk read a letter from the snowmobile club thanking land owners for the use of their property to connect trails.

ATV CLUB: **Pierre Cyr** thought the town should know what private lands were being used by **S.A.F.E.**, **Cyr** is worried about liability. **Councilman Ligon** felt that a private club, using private land, was not the town's business. **Joyce Eddy** thought that trails should be specifically marked for club members only. **Ligon** said that **S.A.F.E.** is good at policing themselves because they don't want to cause problems for the land owners.

PLANNING BOARD: **Brian Hall** said that he had come to a Planning Board meeting, found the town hall close and no one there, Hall asked if there had been meeting. The Town Clerk **Cynthia Hyde** said that she knew Derek Conine [Planning Board Chair] was working on a more active, organized Planning Board and that there had been a mix up that night [having to do with the front door key].

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

June 2, 2009