Minutes of the Thurston Regular Town Board Meeting

Held: Wednesday: July 18, 2018 at 7:00 p.m.

Location: 7578 County Route 333 Thurston, NY

Present: Town Supervisor: Wendy Lozo

Town Council: Paul Peck, Steven Frederick, Holly Chase, Noel Sylvester

Town Highway Superintendent: Richard Gauss, Jr.

Town Attorney: Shawn Sauro

Town DCO Officer: Randy Akins

Absent: Randy Akins

Visitors: Tom Lozo, Marge Taft

Wendy Lozo called the meeting to order at 7:02 p.m. The Board opened with the U. S. Pledge of Allegiance.

Public Comment: Nothing

Minutes: Motion was made by Paul Peck seconded by Noel Sylvester to accept and approve the Town Board Meeting minutes dated May 16, 2018, Public hearing May 24, 2018 & Special meeting May 31, 2018. Put to vote: Paul Peck, aye; Wendy Lozo, aye; Steven Frederick, aye; Holly Chase, aye; Noel Sylvester, aye. Carried

Bills Payable: Motion was made by Steven Frederick seconded by Paul Peck for Wendy Lozo to pay all claims listed in the General abstracts A129-A144 totaling $ 11,838.29 and the Highway abstracts 100-114 totaling $ 45,066.27 dated July 18, 2018. Put to vote: Paul Peck, aye; Wendy Lozo, aye; Steven Frederick, aye; Holly Chase, aye; Noel Sylvester, aye. Carried

Clerk’s Report: June 2018 monthly report was presented to the Board. Total deposits for the month were $264.00. The town received $138.00 and NYS Ag & Mkts received $29.00.

Justice Report: June, 2018 monthly report was presented to the Board. Justice Sweeney collected 110.00 and $10.00 to NYS, $100.00 Town Share.

Tax Collector’s Report: Nothing

Assessor’s Report: Nothing

Historian Report: Nothing

Code Enforcement Officer’s Report: Mr. Raymond Orr – 1 building permits, $183.00 for trailer on Dee road. Ray Orr gave 60 day clean-up of property on Forty Dollar Road, South Hill complaints. One neighbor isn’t mowing and the other neighbor is assuming he doesn’t have to mow either but its supposedly attracting rats. Thurston Town lawyer Shawn Sauro had asked if Ray Orr could get pictures on the demolish trailer and trash people are complaining about on forty dollar road.

Dog Control Officer’s Report: July 2018 monthly report was presented to the Board. Randy Akins reported a dog running at large. He collected $0.00 in license.

Supervisor’s Report: Town Supervisor Wendy Lozo received reports and are on file with Thurston Town Clerk. Wendy Lozo and Holly Akins went to Active shooter training class at silver service department in bath on July 12, 2018.

Highway Superintendent’s Report: June 20, 2018 monthly report was presented to Board Items of Interest and work Performed. The roadside mowing was completed on the 17th. Downed trees in the Risingville and Foster cemeteries were cleaned up and ruts filled in and seeded. Sections of Bonny Hill, Star. Hanrahan and South Hill roads were oil and stoned. Bonny Hill was done with extreme Winter Recovery money from the state and the others were done with money from the General Surface Treatment account. A section on bonny Hill road was graded. The 07 Western Star Tri-axle truck that was purchased from Caledonia Diesel was picked on the 26th of June. The water tank transfer from the old truck was completed on the 17th of July. A water wash on Knowles Road was repaired. The men hauled in approx.… 400 ton of #1 stone from Austin’s construction. All men were on vacation the week of the 4th. Today was the start of graveling the Waters Road CHIPS project. Repairs and or serviced was done to the following equipment; the New Holland tractor was serviced and the flail mower had all new flails installed, the 2015 F350 pickup was serviced and the 01 Autocar had a hub seal replaced. Motion was made by Steve Frederick and seconded by Paul Peck to accept from Town Clerk report to Highway Superintendent Reports. Put to vote: Paul Peck, aye; Wendy Lozo, aye; Steven Frederick, aye; Noel Sylvester, aye; Holly Chase, aye. Carried

Old Business: Shawn Sauro had said “Attorney Sauro advised the Board that he completed the Board’s requested research on the Davis/Travis property which adjoins the property where the former Town Hall/Old Town Barn was located.  The Board requested this research at the June Town Board meeting after Attorney Sauro had advised there was no property reversion language in the Town’s deed which would return the property to the Davis/Travis parcel if the structure was removed.

Attorney Sauro advised that there was no reversion language in the Davis/Travis deed related to any structures.  He further advised that the property records reflect quite a bit of legal activity surrounding the Davis/Travis property beginning in 2009 and occurring at a consistent pace to date.  Attorney Sauro opined that the respective banks related to those matters would have would have attempted to assert their rights long ago if they believed they had an ownership interest in a reverted piece of Town property.

Attorney Sauro concluded that (a) as there is no evidence of any deed language purporting to revert Town land to another if any structures were removed and (b) that no bank or lender related to the Davis/Travis property has approached the Town during the numerous legal actions undertaken surrounding that property, it was his opinion that the Town was secure it its possessory interest.” Wendy Lozo had asked Paul Peck on update of parking lot lights, and no luck at this point. Board had decided to rebid on parking lot lights project Steve Frederick made motion and Paul Peck seconded to rebid parking lot light project with bids due Sept, 19, 2018 by 7pm to be opened at board meeting that night. The board also reserves the right to reject any and /or all bids. Put to vote: Paul Peck, aye; Wendy Lozo, aye; Steven Frederick, aye; Holly Chase, aye; Noel Sylvester, aye. Carried. Motion was made by Paul Peck seconded by Noel Sylvester to close old business. Put to vote: Paul Peck, aye; Wendy Lozo, aye; Steven Frederick, aye; Holly Chase, aye; Noel Sylvester, aye. Carried.

New Business: Nothing

Motion was made by Steve Fredericks seconded by Paul Peck to adjourn the meeting at 7:46 p.m. Put to vote: Paul Peck, aye; Wendy Lozo, aye; Steven Frederick, aye; Holly Chase, aye; Noel Sylvester, aye. Carried.

Minutes respectfully submitted by Holly Akins, Thurston Town Clerk