

Town of Thurston Board Meeting Minutes  
Held: Wednesday April 17, 2024 at 7:18 P.M.  
Location: 7578 County Route 333, Thurston

Present: Town Supervisor: Michael Volino  
Town Council Members: Noel Sylvester, Holly Chase, Daniel Gee, Jennifer Hargrave  
Town Highway Superintendent:  
Town Dog Control Officer: Randy Akins  
Town Attorney: Rachel Treichler  
Town Code Officer: Nick Nolton  
Town Historian: Noel Sylvester (Deputy)  
Town Assessor: Diana Dixon  
Town Justice:  
Absent: Darlene Smith, Saige McGarvey

Visitors: Caleb Cook, Caleb Tietje, Sam Dick, Elizabeth Donderewicz, Eva Turner, Lisa Hargrave, Ruth Schoonover, Glenn Francis, Wendy Lozo, Theresa Borhman, Marge Taft, Helen Stephens, Tom Stephens, Jeff Sweeney, Monica Sweeney, Neil Henshaw, Leo Gross, Mary Gross, Cal Hoad, Lamora Hoad,

Michael Volino called the meeting to order at 7:18 P.M.

Public Comment: Marge Taft stated that she thinks the Board is doing the right thing by doing more research on the tier 3 solar systems. Tom Stephens explained a situation about water run off and erosion. Tom stated that a representative from the Dept of Water and Soil came out to view the situation. Tom asked if the Town could put some culverts in place to divert the water. Sam Dick explained the ditch and water runoff is a natural occurring process. Attorney Rachel Treichler stated that water run off from one landowner to another landowner is a complicated issue. Supervisor Volino stated that he is trying to understand the whole situation. Attorney Treichler will address the matter at the May Board Meeting. Motion was made by Jennifer Hargrave seconded by Noel Sylvester to close public comment. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried.

Minutes: Motion was made by Holly Chase seconded by Daniel Gee to accept and approve the March 20, 2024 Regular Board meeting minutes. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried.

Bills Payable: Motion was made by Jennifer Hargrave seconded by Noel Sylvester for Michael Volino to pay all claims listed in the General abstract dated April 17, 2024 totaling \$95,883.02 and the Highway abstract totaling \$9,340.74. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried.

Clerk's Report: March monthly deposits were \$696.80. Dolores Crooker stated that the Board of Elections requires that no one be in the Town Hall holding office hours on election days.

Justice Report: Justice Darlene Smith reported \$13.00 collected in the month of March. Michael Volino stated that the JCAP grant items purchased are still arriving.

Tax Collector Report: The final statement for taxes collected has been completed with Steuben County on April 11, 2024. Supervisor Volino stated that the internal audit of the tax collector should be completed by the May Board meeting.

Assessor Report: Diana Dixon stated that the tentative tax roll has been completed. The Assessors are waiting for Steuben County to finalize the documents.

Historian Report: Nothing

Code Enforcement Officer's Report: Nick Nolton reported 10 open building permits and 2 separate ongoing violations to be remedied by May 18, 2024.

Dog Control Officer's Report: Randy Akins reported 2 dogs running at large. One animal cruelty violation. The spring drive through rabies clinic is scheduled for April 20, 2024 from 10 am till 12 noon at the Highway shop. The dog enumeration is scheduled for May 15, 2024 through June 30, 2024.

Highway Superintendent Report: Items of Interest and work performed 03/21/24 – 04/17/24. Checked and cleared all roads of debris after high winds. All roads, the Town Hall, and the Fire Dept have been plowed and or sanded twice. Cleared a tree from Reed Hill road. Potholes on Harrison, Yost, Hanrahan, Tucker, and Shauger roads were fixed temporarily. Removed sod at the Town Hall location for the playground installation. McGarvey attended training for Highway Superintendents. Cleared the area in shop for oil room installation. Removed a deer from the side off the road. McGarvey attended a cold patch demonstration at the town of Bradford. Sent salt request form in. Divisible load permits and the BUD permit have been renewed. Have begun sweeping roads. Held interviews and hired for the fulltime and part time positions.

Supervisor's Report: Michael Volino emailed the March monthly report to the Town Board and a hard copy is on file in the Clerk's office. Michael Volino stated that the first quarter Federal 941 has been completed and mailed on March 25, 2024. The first quarter NYS-45 has been completed and emailed on March 24, 2024. March end of month closing has been completed and sent to the Board on 4/3/24. Electronically sent all materials required for quarter 3 PERMA audit on March 26, 2024. Sent letter to the NYS Governor on March 27, 2024 outlining opposition to proposed Rapid Act. Playground construction began on April 2, 2024. It should be completed by April 19, 2024. The lawsuit by Casella and Dickson Holdings against the Town of Thurston for enacting Local Law #3 of 2023 has been discontinued. Earthjustice will represent the Town of Thurston pro bono in any future proceedings.

Housing needs committee update. Jennifer Hargrave stated that the assessment survey and site reviews are ongoing. Town of Thurston first edition newsletter is ready to be mailed out to Thurston residents and copies are available at the Clerk's office.

Motion was made by Jennifer Hargrave seconded by Holly Chase to accept and approve the Clerk's report through the Highway Superintendent's report. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried.

Unfinished Business: Supervisor Volino stated that the Local Law #2 of 2024 Solar Moratorium Law needs to be discussed. Holly Chase stated that she wants to be sure the language in the draft is correct. Nick Nolton Code Officer does not want to be responsible for restricting the maintenance and repair of the solar system. Attorney Treichler suggested removal of the word repair in the document. Motion was made by Holly Chase seconded by Noel Sylvester to accept the Local Law #2 of 2024 as form, remove the word repair, and schedule a public hearing for May 15, 2024 at 6:45 p.m. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried. Supervisor Volino stated that a standard work day and reporting resolution needs to be established for the Thurston Town Justice. Motion was made by Daniel Gee seconded by Noel Sylvester to accept the Justice standard work day resolution. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried. Supervisor Volino stated that the Unified Court System suggested a panic button be put in place in the Town Hall courtroom. The JCAP grant funds will pay \$295.00. The annual payment can be paid monthly in case the system doesn't work. Motion was made by Jennifer Hargrave seconded by Noel Sylvester to order 3 panic buttons from Eastern Security Co. for \$295.00 Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried. Supervisor Volino stated that the wages for the newly hired MEO's need to be set. Kaden Jewel \$18.00 per hour for the part time position. Chris Volino for the fulltime position. Daniel Gee suggested \$20.59 for the fulltime MEO position. Daniel Gee stated that 15 years experience is well worth the \$20.59. Holly Chase and Jennifer Hargrave suggested \$19.50 plus 100% full coverage for family health insurance. Motion was made by Holly Chase seconded by Noel Sylvester to pay the fulltime MEO \$19.50 per hour with 100% full family coverage health insurance. Put to vote by roll call Holly Chase, yes; Daniel Gee, no; Mike Volino, abstain; Noel Sylvester, yes; Jennifer Hargrave, yes. Carried. Supervisor Volino stated that the equipment listed on Auctions International came in at 1971 AMC \$1,250.00, 1979 AMC \$1,075.00, Semi Trailer \$760.00, and the parts AMC \$210.00. Motion was made by Jennifer Hargrave seconded by Noel Sylvester to accept the bids for the equipment listed on Auctions International. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried. Supervisor Volino stated that an estimate for insulating the Highway shop came in at \$8,100.00 and could be paid for out of the Building Repair Reserve Fund. Motion was made by Noel Sylvester seconded by Holly Chase to insulate the Highway shop at a cost up to \$8,100.00. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried. Supervisor Volino stated a decision needs to be made on the lease agreement with Paccar of a new Peterbilt dump truck. Motion was made by Jennifer Hargrave seconded by Daniel Gee to lease a new Peterbilt dump truck through Paccar. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried. Motion was made by Noel Sylvester seconded by Holly Chase to close Unfinished Business. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried.

New Business: Michael Volino stated that the Town Board needed to vote on the NYS Rapid Act resolution to oppose Part O. Roll call vote Holly Chase, yes; Daniel Gee, yes; Michael Volino, yes; Noel Sylvester, yes; Jennifer Hargrave, yes. Carried. Supervisor Volino asked for a motion to appoint Noel Sylvester as Deputy Historian. Motion was made by Daniel Gee seconded by Jennifer Hargrave to appoint Noel Sylvester as Deputy Historian. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, abstain; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried. Supervisor Volino stated that he received a request from Middletown Historical Society asking for a \$500.00 donation. The Board decided to table it until the May Board meeting. Supervisor Volino stated that he received an estimate from Crazy Abe's Tree Service to remove 7 trees from the Aldrich cemetery for \$1500.00. Motion was made by Holly Chase seconded by Noel Sylvester to hire Crazy Abe's Tree Service to remove the trees. Put to vote: Jennifer Hargrave, aye Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, abstain; Holly Chase, aye. Carried.

Budget modifications: Resolution was made by Noel Sylvester seconded by Holly Chase to transfer \$42,718.00 from A231 Building Equipment Reserve Fund to DA5132.2 Highway Shop Equipment / Capital Outlay for Highway Shop Improvements. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried. Resolution was made by Daniel Gee seconded by Jennifer Hargrave to transfer \$750.00 from A1990.4 Contingency Fund to A1989.4 Legal Advertising. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried. Resolution was made by Jennifer Hargrave seconded by Holly Chase to transfer \$24.00 from A1990.4 Contingency Fund to A8160.4 Garbage Contractual. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried. Resolution was made by Daniel Gee seconded by Noel Sylvester to transfer \$653.59 from A688 ARPA Fund to A7140.4 Playground Contractual. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried. Resolution was made by Holly Chase seconded by Daniel Gee to transfer \$19,246.41 from A599 Appropriated Fund Balance to A7140.4 Playground Contractual. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye Daniel Gee, aye; Holly chase, aye. Carried.

Announcements: Next Regular Board Meeting: May 15, 2024 at 7:00 P.M. The first set of Hometown Hero banners have been ordered and should be put in place by Memorial Day. Holly Chase suggested a public announcement be made when the playground has been completed.

Motion was made by Holly Chase seconded by Jennifer Hargrave to close New Business. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried.

Motion was made by Holly Chase seconded by Noel Sylvester to adjourn the regular board meeting at 8:55 p.m. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried.

Minutes Respectfully Submitted by Dolores Crooker, Town Clerk