

MINUTES OF A REGULAR MEETING OF THE TOWN OF THURSTON HELD FEBRUARY 21, 2024 AT 7:30 PM

Present: Town Supervisor: Michael Volino

Town Board: Holly Chase, Daniel Gee, Noel Sylvester, Jennifer Hargrave

Town Assessor: Diana Dixon

Town Code Enforcement Officer: Nick Nolton

Visitors: Reginald Rice, Jeff Sweeney, Mary Rayeshi, Carly Shilling, Margie Taft, Kyle Nobles, Bob Cilino, Teresa Borhman, Caleb Cook, Caleb Tietje

The meeting opened with the Pledge of Allegiance to the Flag.

Public Comment: There being no comments from the public, motion was made by Holly Chase and seconded by Noel Sylvester that the public comment session be closed. Put to vote: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried.

Action on Minutes: Motion was made by Noel Sylvester and seconded by Holly Chase that the minutes from the January 17, 2024 regular meeting, the January 31, 2024 public hearing on Local Law # 1 of 2024, and the minutes from the January 31, 2024 meeting following the Local Law public hearing be approved as presented by the Town Clerk. Put to vote: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried.

Action on Bills: Motion was made by Noel Sylvester and seconded by Daniel Gee that the bills be paid as follows: General Fund Vouchers A18-A47 in the amount of \$37,029.20 with a credit to that account in the amount of \$68.40 from the Teamsters; Highway Vouchers DA10-22 in the amount of \$22,229.41, and a note that \$52,030 was paid (per the budget) to the Thurston Fire District on February 1, 2024.

Town Clerk's Report: Sue Conklin, Deputy Clerk, reported that she collected \$915.00 during the month of February with \$890.00 going to the Town Supervisor and \$25.00 paid to Ag and Markets for dog license fees. She said a request for use of the Town Hall basement was received from Gregg Dixon. The family wishes to use the hall for a birthday party on March 2, 2024 from 10am to 4pm. Motion was made Holly Chase and seconded by Jennifer Hargrave that this room request be approved upon payment of the \$25.00 fee required. Put to vote: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried.

It was noted that Darlene Smith, Town Justice, recently completed the Continuing Judicial Education Program as required for this position and has given a certificate to the Town Clerk.

The Deputy Clerk noted there will be a STC Annual Regional Leadership Conference at Corning Community College of 4/4/2024 as well as a Land Use Leadership Alliance Training Program at the Seneca Lake Community Center. Both of these sessions need reservations so let the Town Clerk know if you wish to attend.

Assessor's Report: Diana Dixon said the Assessors will be completing their drive arounds on March 1st and that is also when exemption requests are due to the Assessor's Office. We should be receiving a bill for the postcards regarding exemptions that were sent around a few weeks ago.

Historian Report: Noel Sylvester said it has been found that the building in Risingville across from the church is owned by the church even though it is on Town property. They are currently searching for the deed to the building.

Justice Report: There was no Justice Activity for January. We have received \$243.00 from the County for the Traffic Diversion Program. It was noted we now have a Narcan Emergency Box for Opioid overdoses located on the main floor of the Town Hall. Mike Volino said he found that a panic button for under the Judges bench, as strongly recommended by the NYS Court System and Perma, will cost approximately \$100.00. This will go directly to 911 if used.

Tax Collector Report: A report was submitted by Sandra Nowicki, Town Tax Collector, noting that as of February 19, 2024, we have collected under tax levy \$764,527.84 and this has been paid to the Town Supervisor. The amount of \$174,000.00 has been paid to the County Finance Office to date leaving a balance in the account of \$1297.65.

Dog Control Officer: Mike Volino said there were two calls for the Dog Control Officer since the last meeting. One ticket was issued for a dog running at large and one call was for a dog running at large but not able to be located.

Town Supervisor Report:

- Mike noted the end of the month closing reports for January were completed and sent to the Board.
- The Perma Pre-audit of the Highway Shop and Town Hall were completed on January 18, 2024. The Town Hall was fine except for a recommendation of a panic button which is being planned. The Highway Shop had several issues which are being worked on and some have already been completed.
- AFR Report was web filed to the State Comptroller on January 21, 2024.
- Work on the kitchenette in the Town Hall started early on February 1, 2024 and is progressing.
- Mike met with Assemblymember Kelles on February 6 regarding legislation to ban land application of sewage sludge.
- A meeting was held with Josh Gauss from REA on February 8 at which time we found they approved the use of electric poles in Risingville to hang service member banners. REA will hang them for us when we are ready.
- The Housing Needs Assessment Steering Committee had their first meeting on February 8. Dan and Jen are on this committee. They will be driving around the Thurston area and checking to see what areas could use assistance.
- Mike said Casella and Dickson Holdings filed a legal challenge to Local Law # 3 of 2023 in Steuben County Supreme Court on February 15. The Town has until June to answer their claims. Earth Justice will be representing the Town in the proceedings pro-bono. The Local Law (#3 of 2023) remains in effect. Mike said he received a letter of support from Debra Blenco from Corning who said she supports Thurston in their efforts to stop land spreading and applauds their efforts.
- AMR Ambulance Service sent a report to Mike saying they had 105 calls for service in 2023 with 75 transports.

Code Enforcer Report: Nick said there were three violations this year and two second notice violations. He said that he, Mike, and Rachel met regarding a solar project (Tier 3) in the Town of Thurston with Reactivate. This project would require a public hearing and overall approval. Jeff Sweeney was present and said that NYSEG has approached him again to put a solar farm on his property at 7701 Knowles Road.

Mike Volino said it is possible that by 2040 electric requirements will be changing and we should look at our Local Law #1 of 2021 by the March meeting to see if we need to make any amendments or changes.

Highway Superintendent Report: The following report by Saige McGarvey was given to Mike Volino to present at the Board meeting.

- Roads have been plowed and or sanded nine times
- Town Hall and Fire Dept were plowed six times and sanded seven times and the Town Hall sidewalk/ramp and stairs were salted seven times.
- Salt was ordered and delivered.
- Decal was placed on the driver door of the town pickup and we need to get some more made.
- Hunt Road was graded back to prevent water from continuing to pool and run.
- Trees were cleaned out of the roadways on multiple days and roads were checked for any flooding or hazards.
- T426 had a major breakdown leading to multiple repairs.
- The Army trucks have been dragged out and are ready for pictures and to be posted for sale.
- Straight Road drainage problems have been taken care of.
- Thurston assisted the County with a tree removal project.
- Due to the PERMA audit, changes are being made in the shop to make the shop as safe and up to code as possible.
- Tucker Road – called to check a drainage problem that had been reported and had to fix a hole in the pipe.
- Shop Pressure tank was removed and replaced after finding a leak.
- Replaced a mailbox and placed new numbers on the post.
- Completed construction on the new stairs inside the shop leading up to the break room and office.
- Started repainting the shop walls and fixed a whole in the drywall.

Mike reported that the PERMA Audit recommended we need to set up a policy for Bloodborne Pathogens, a Public Health Emergency Plan, and set up a Safety Committee which should meet at least two times a year. The Safety Committee should consist of a Town Board Member, Town Supervisor and Highway Supervisor, another Town elected official and a highway employee.

Saige McGarvey has signed up to attend the Highway Superintendent Training in Ithaca and needs to know if she should use her personal vehicle or a Town vehicle. The Board felt it was better to use her personal vehicle at .55 a mile in the event the town pickup is needed while she is gone.

Motion was made by Holly Chase and seconded by Jennifer Hargrave that the reports be accepted as presented for February. Put to vote: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried.

Old Business:

Annual Report audits are to be scheduled at this time. Motion was made by Holly Chase and seconded by Noel Sylvester that the Town Justice and Town Supervisor have their books ready for audit prior to the March meeting and two Town Board members would be available to audit them at a time convenient for those officials. Put to vote: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried.

Mike noted that the Board has updated and reviewed several recommended Town Policies that were not done in the past. He read through each policy and they are as follows:

Town of Thurston Fund Balance Policy: Resolution was made by Holly Chase and seconded by Noel Sylvester that the Town of Thurston Fund Balance Policy be adopted as presented to be effective immediately. Put to roll call vote as follows: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried.

Town of Thurston Smoking Policy: Resolution was made by Jennifer Hargrave and seconded by Daniel Gee that the Town of Thuston Smoking Policy be adopted as presented to be effective immediately. Put to roll call vote as follows: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried.

Town of Thurston Equipment and Vehicle Usage Policy: Resolution was made by Noel Sylvester and seconded by Daniel Gee that the Town of Thurston Equipment and Vehicle Usage Policy be adopted as presented to be effective immediately. Put to roll call vote as follows: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried.

Town of Thurston Workplace Weapons Policy: Resolution was made by Noel Sylvester and seconded by Jennifer Hargrave that the Town of Thurston Workplace Weapons Policy be adopted as presented effective immediately. Put to roll call vote as follows: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried.

Unauthorized Personnel Policy for Thurston Town Highway Facilities: The Town Board tabled action on this policy until further review and possible revision.

Mike Volino said there needs to be an updated Town Hall Usage Agreement as well as updated Job Duties available for review at the March meeting.

2025 Peterbilt The Board discussed the percentage of down payment of the total cost they would pay from CHIPS on the 2025 Peterbilt. The total cost is \$319,000 and the thought is that if we pay \$159,500 down, we would cut down on interest we would pay for a loan from a financial institution. It is anticipated this would leave us \$160,000 for road repairs. There was a concern that the program would be cut but at this time it may be that the amount remains the same as last year. If we make this down payment, we would get a 4 or 5 year loan through Five Star Bank and make annual payments. It was noted CHIPS cannot be used to make interest payments but only principal payments. Motion was made by Holly Chase and seconded by Jennifer Hargrave that we use \$159,500 of our CHIPS money for 2024 to pay on the 2025 Peterbilt. Put to vote as follows: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried. After this discussion, the following resolution was passed:

Whereas, the Town of Thurston intends to borrow the principle sum of one hundred fifty-nine thousand five hundred dollars and no cents (\$159,500.00) at an interest rate to be set by Five Star Bank, for a down payment on the purchase of a new 2025 Peterbilt, and now

Therefore, be it resolved upon motion by Daniel Gee and seconded by Noel Sylvester that the Town of Thurston enter into an agreement with Five Star Bank for a Statutory Agreement Bond totaling \$159,500 at the interest rate set by Five Star Bank. Put to roll call vote, Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye, and Jennifer Hargrave, aye. Unanimously carried.

Listing and sale of Army Trucks After a brief discussion, a motion was made by Noel Sylvester and seconded by Jennifer Hargrave that the 2971 and 1979 AMC Army trucks, which are surplus equipment, be listed on

Auctions International. Put to vote as follows: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried

Town of Thurston Newsletter: The Board has been discussing the creation of a semi-annual newsletter to keep the residents informed. Diana Dixon said she believes she can pull a down the address list used to send out their recent Assessor's notices. Holly Chase reviewed what she would like to see in the newsletter as at this time, she will be creating it. The Board decided to try to have this sent out by April or May so items should be available in March.

Housing Needs Survey A housing needs survey may be sent with this newsletter which is needed to prepare for the grant recently awarded to the Town of Thurston.

There being no further Old Business, motion was made by Noel Sylvester and seconded by Jennier Hargrave that old business be closed. Put to vote as follows: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried.

New Business:

The Board discussed the need for changes to the **Code Enforcement Pay Schedule** upon recommendation of the Code Enforcement Officer. Motion was made by Daniel Gee and seconded by Holly Chase that the following changes be made: Under 1 or 2 family dwelling on page 8, add Roof (\$50), Deck/Porch (\$50.00), Whole House Generator (\$75+) and Solar (\$100+). Put to vote as follows: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried. These changes will be posted on the Town of Thurston website as soon as possible.

Mike Volino noted that Dolores Crooker needs to be added to the Town Clerk's Bank account as her name was never added back on when she took back over from the previous clerk.

A resolution was passed for Town Clerk Dolores Crooker to be added to the Thurston Town Clerk checking account at Five Star Bank with the same responsibilities as the Thurston Deputy Town Clerk, to make deposits, write, and sign checks. The resolution was made by Jennifer Hargrave seconded by Noel Sylvester. Put to vote: Jennifer Hargrave, aye; Noel Sylvester, aye; Michael Volino, aye; Daniel Gee, aye; Holly Chase, aye. Carried.

A **Mobile Work Program** has been offered to municipalities by Steuben County. They would supply one to three volunteers at no cost to the Town who would be able to do odd jobs for the Town as needed. The County would cover insurance for them. All we would have to do is track their hours and if any are found unsuitable, they could be terminated at any time. Motion was made by Noel Sylvester and seconded by Daniel Gee that the Town of Thurston participate in this program and the Supervisor be authorized to sign the agreement with the County. Put to vote as follows: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried.

Highway Shop Improvements are continuing and the Town should consider re-siding the outside of the shop as well as rebuild the Oil Room. Last year the roof was replaced on the building using the Building Reserve Fund. The current Oil Room is an old Army box which would be safer and serve us better if it were built out of cinderblocks and made slightly larger to provide better access. Currently the Board

feels the Oil Room rebuild is more important. Motion was made by Jennifer Hargrave and seconded by Daniel Gee that the Town advertise for bids to rebuild the oil room at the Highway Facility with the right to reject any or all bids Put to vote as follows: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried.

Michael Volino has request authorization to do some **budget modifications** to cover the cost of fixing the frame on the 426 Dump Truck and to pay for training for the new Highway Supervisor. Motion was made by Noel Sylvester and seconded by Holly Chase that \$2778.83 be transferred from DA230 (Equipment Repair Reserve Fund) to DA1530.4 (Machinery Contractual) and that \$1000 be transferred from A1990.4 (Contingency Fund) to A5010.4 (Highway Superintendent Contractual) as requested. Put to vote as follows: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried.

Michael said that the Town of Thurston might consider having a **Comprehensive Plan**. He said of the 48 municipalities in Steuben County, only 12 have no plan and Thurston is one of them. The STCPD will work with the Town to develop a plan but the cost would be 25 to 30 thousand dollars. There is a grant available (if applied for) of \$30,000 that would cover the cost of this. If we apply and are awarded the grant, it would take about a year (2025) to complete. Motion was made by Noel Sylvester and seconded by Jennifer Hargrave that the Town apply for the grant, and if it is awarded, move forward with the development of a Comprehensive Plan. Put to vote as follows: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried.

There being no further new business, motion was made by Jennifer Hargrave and seconded by Noel Sylvester that new business be closed. Put to vote as follows: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried.

Motion was made by Holly Chase and seconded by Jennifer Hargrave that the meeting be adjourned at 8:25 p.m. Put to vote as follows: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, aye. Carried.

Minutes respectfully submitted by Sue Conklin, Deputy Clerk.