

Town of Thurston Board Meeting Minutes  
Held: Wednesday, January 17, 2024  
Location: 7578 County Route 333, Thurston, NY

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

Visitors: Michael Volino (Sr.), Tom Arquette, Josh Buck, Alex Fellows, Tom & Terra Thorpe, Teresa Borhman, Marge Taft

Michael Volino called the meeting to order at 7:00 p.m. with the Pledge of Allegiance to the Flag.

**Public Comment:**

- Tom Arquette spoke up with concerns about the hiring of the new Town Superintendent. He said he feels there should be more experience and more training for this position. He cited the need for safety training to reduce liability to the Town.
- Marge Taft asked the Board to consider installing more lighting behind the Town Hall. Holly Chase agreed there is a need for more lighting and we will see if there are any available grants to assist with the funding of such a project.
- Diana Dixon said she recently went for NARCAN training and was told there are free kits with four doses available from the County if the Town of Thurston wishes to place one in the Town Hall.
- Motion was made by Noel Sylvester and seconded by Holly Chase to close public comment time. Put to vote: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Carried.

**Minutes:**

- Motion was made by Daniel Gee and seconded by Noel Sylvester that the minutes from the December 20, 2023 meeting, and the minutes from the January 3, 2024 Annual Organizational Meeting be accepted and approved as presented. Put to vote: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Carried.
- Motion was made by Holly Chase and seconded by Noel Sylvester that Town Supervisor Volino be authorized to pay all claims listed in the General abstract dated January 17, 2024 and totaling \$8938.98 for Vouchers A1-17; the Highway abstract dated January 17, 2024 and totaling \$17, 275.02 for Vouchers D1-9; and the Trust and Agency Account totaling \$157.00. Put to vote: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Carried.

**Reports:**

- Town Clerk: Sue Conklin noted that Town Clerk, Dolores Crooker collected a total of \$622 for the month of December 2023.
- Assessor: Diana Dixon noted the Assessors are doing their “drive arounds” and taking pictures of properties to ensure proper assessments. She said they have magnetic signs on their cars for identification. Holly Chase will post on the Town Website that the Assessors are doing a canvas of properties.

- Town Historian: Noel Sylvester gave an update on the old community building located in Risingville. There are windows and a church freezer stored in the building that need to be removed. The County Board (Real Property) will be meeting next week to discuss more about this property.

- Justice Report: Michael said that \$93 for fines and fees were collected in December 2023. He said he was quite pleased with the year-end report noting fines and fees of \$4075 were collected in 2023. This is 3 times the amount reported in 2022.

- Dog Control: Randy reported a dog running at large on December 11 and it was discovered the owner was ill and in the hospital. The dog was relinquished and redeemed by Amsterdam rescue for a fee of \$75.00, The DCO equipment and DL-18's were inspected on January 10, 2024 and all passed as satisfactory. A total of \$80.00 was collected for overdue licenses.

- Supervisor: Tax Reports are done and end of the month closing for December is complete and these have been sent to the Board.

-CDBG Block Grant Agreement and supporting materials were submitted on December 22, 2023. The Housing Needs Assessment Steering Committee will be meeting within the next couple of months.

-The Governor signed legislation in late December which notes that local elections will only be held on even number years. The Association of Towns is against this move and is working to have this legislation changed.

-The 2023 Q4 941 has been completed and mailed, Q4 NY45 has been web filed, and W-2's have been mailed to Town officials and employees. Michael Volino noted that Williamson Law will be coming to help him complete his year end reports.

- Code Enforcement: Nick Nolton said he issued two building permits in December at a project value of \$145,000 and collected fees totaling \$375.00. He said he issued 20 permits for the year at a project value of \$1,895,000 and collected a total of \$2475.00 in fees. He said his training is complete and up to date.

- Highway Superintendent Report: The new Highway Superintendent, Saige McGarvey, presented her report to the Town Board as follows:

- \* All roads were checked for anything that could be a hazard
- \* The Fire Department was plowed out five times and salted twice and the Town Hall, plowed out four times and salted twice.
- \* The Town Hall stairs and ramps were salted five times.
- \* Roads were sanded or plowed nine times.
- \* A cable broke on t426 and needed to be fixed. This was completed.
- \* Roads were checked for trees down multiple times. Roadsides were cleared of brush.
- \* Trucks and bays were washed and cleaned.
- \* Regular maintenance was done on the plow trucks.
- \* A plate broke on the excavator mower head. We have started to fabricate a new piece to fix this.

Michael Volino said there is a Perma pre-audit scheduled at 9am on the 22<sup>nd</sup> of January. They will work with Saige on safety issues. They will also be checking the Town Hall at some point on that day.

It was noted that the 284 agreements (expenditure of Highway monies) will be discussed at the February Meeting.

Michael said that he would like to have the Highway Department begin formulating a list of projects to be done over the upcoming year. We should be getting about 319,000 in CHIPS funding. Some of this could be used to pay down the cost of the 2025 Peterbilt. CHIPS funds cannot be used to pay interest. Holly said we can get financing if needed through 5-Star Bank so should look at interest rates also to see what is most cost effective. It is felt that we should look at what roads need to be re-done first before making a final decision on the use of the CHIPS funding. If CHIPS money is used to pay down on the truck, no more than half should be used for that purpose.

Motion was made by Holly Chase, second by Noel Sylvester, that all reports be accepted as presented. Put to vote: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Carried.

## **Old Business:**

### Local Law # 1 of 2024

Upon review, it was found that the 2023 Local Law known as “Solid Waste Management Facilities Moratorium Law” expires in February. After some discussion it was noted that following the recent water quality study on the Bonnie Hill area, there seems to be a direct correlation to land spreading and water pollution. Our Attorney has suggested this Moratorium be updated and renewed for another year while the Town and associated agencies study the continuing effects of sludge spreading on the water quality of many Town residents. We should continue with due diligence research and this Local Law allows us to continue our efforts in this area. Motion was made by Holly Chase and second by Noel Sylvester that a public hearing be held on January 31, 2024 at 7:00 p.m. to hear the concerns and comments from the public on the continuation of this moratorium and a short regular meeting be held following the public hearing so a vote can be taken. Put to vote: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Carried.

### Agreement with Sive, Paget, and Riesel

The Town Supervisor said that we have been offered a pro Bono Engagement with Sive, Paget, and Riesel which will assist the Town in enacting local law(s) governing the land application of sewage sludge within the Town of Thurston. Motion was made by Holly Chase, seconded by Daniel Gee that the Town Supervisor be authorized to sign a Pro Bono Engagement Agreement Letter with Sive, Paget, and Riesel as presented by them. Put to vote: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Carried.

### Service Members Flags

Michael Volino said we now have a permit from NYSEG to use their poles to put Service Member Flags up on County Route 333 within the Town of Thurston. This will include poles from the Salyer property to about Thurston Pond. This permit will have to be renewed each year mid-January. The Board was given a sample of designs to be used and the Board decided to use the one where the person’s name is big enough to read from the street. The Board agreed the flags could be for anyone who has served in a public service capacity, such as veterans, fire department members, ambulance corps members, etc. Applicants will have to submit an application, photo, and the required fee (\$69.95 for the bracket and \$104.95 for the flag) to the Town Clerk or Town Supervisor who will process them. Motion was made by Holly Chase and seconded by Dan Gee that #015 of the sample designs will be used. Put to vote: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Carried. Michael Volino will contact the vendor of the flags and tell them which one we have decided on and get the order started. Michael and the Board will also see if there are any available grants to assist applicants with the cost.

### Town Newsletter

The Town Supervisor said we have been discussing the development of a Town newsletter and funds were put in the 2024 budget for this purpose. At this time, it must be decided who will design the newsletter, how it will be distributed (i.e., e-mail or US Postal Service) what content will be included in it, and when and how often it will be mailed. Diana Dixon suggested we use the mailing list the Assessors will be using to send out their notices as they are sent to every property owner in the Town of Thurston. She said it may be possible to use their data base. The Board thought Spring (April) and Fall (September) would be the best times to mail the newsletter.

### Kitchenette Update

Michael Volino spoke with Mike Hargrave, successful bidder on the new kitchenette project, and Mike will be starting work on the kitchenette in late February. Mike (contractor) asked if we with to utilize the storage room adjacent to the bathroom as part of this project. Holly Chase suggested we have the

contractor draw up a sketch so the Board can see what his plan is if this is utilized so they can decide. Motion was made by Noel Sylvester and seconded by Holly Chase that a door may be cut into the storage room if needed for this project. Put to vote: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Carried.

### Town Hall Generator

Holly Chase said we need to check to see when the Town Hall generator was last serviced. There were two power outages over the last two weeks and she said she gets messages that the cameras are not coming on automatically as they are supposed to. Michael Volino will call for service on this so we can make sure it is kicking in automatically. We also need to check on battery backup for the electronics located in the building.

### Procurement Policies

The Town Board has reviewed several policies that need to be updated and adopted. These policies are maintained in the Town Clerks Office at the Town Hall.

**A resolution** was made updating the **Sexual Harassment Policy** for the Town of Thurston in order to maintain a workplace free from harassment and discrimination. Motion was made by Noel Sylvester and seconded by Holly Chase that the policy be adopted as updated and presented. Put to roll call vote, Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Unanimously carried.

**A resolution** was made to adopt the **Town of Thurston Deposits and Investment Policy** which will apply to all monies and financial resources available for deposits and investments in the Town of Thurston. Motion was made by Noel Sylvester and seconded by Daniel Gee that the policy be adopted as presented. Put to roll call vote, Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Unanimously carried.

**A resolution** was made to adopt the **Town of Thurston Breach Notification Policy** which applies to the protection of private information of individuals and is required under the State Technology Laws. Motion was made by Daniel Gee and seconded by Noel Sylvester that the policy be adopted as presented. Put to roll call vote, Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Unanimously carried.

**A resolution** was made to adopt the **Town of Thurston Procurement Policy** which applies to the lawful purchases of goods and services not required by law to be publicly bid. Motion was made by Holly Chase and seconded by Noel Sylvester that this policy be adopted as presented. Put to roll call vote, Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Unanimously carried.

Motion was made by Dan Gee and seconded by Noel Sylvester that old business be closed. Put to vote, Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Unanimously carried.

### **New Business:**

A discussion was held on marking with a decal, magnetic or permanent, the 2022 Chevy Pickup which the Highway Supervisor drives. Motion was made by Daniel Gee and seconded by Noel Sylvester that the Town Supervisor proceed with getting the Thurston Town Public Works logo as a permanent decal placed on the doors of the 2022 Chevy Pickup for easier identification. Put to vote, Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Unanimously carried.

The Town Board and Supervisor noted that we will draft a policy for usage of all Town Equipment to be reviewed and acted upon at a future meeting.

The Town Supervisor said we have 1971 and 1979 AMC Army trucks that are sitting unused at the Town barns. They were purchased in 2009 by then acting Highway Supervisor and were used just once and then parked. We continue to pay a liability fee at a cost of \$1443.20 annually on these unused trucks and it was decided it is time to dispose of them. Saige McGarvey will see if they run, if they have titles or registrations, and then proceed from there. They may be able to be listed on Auctions International. Saige will report back at an upcoming meeting.

As there is a new Town Highway Superintendent, a decision must be made as to whether a new Five Star Bank Card should be issued as the previous one was discontinued with the retirement of Richard Gauss. Saige noted there are times when we need parts quickly and cannot wait until a meeting for approval of a check being drawn. Currently there is a \$3000 limit between the Town Supervisor card and the (previous) Town Highway card. Motion was made by Noel Sylvester and seconded by Holly Chase that the Town Supervisor obtain a card from Five Star Bank for the new Town Highway Superintendent, and as in the past, require receipts for all purchases on this card. Put to vote, Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Unanimously carried.

Term Limits for elected officials: The board discussed extending the terms for local elected officials from two years to four years. The Town Attorney said she feels making a term longer would be less democratic if this were to be decided upon. Michael said there would have to be a public hearing and the final decision would be made by taxpayers at an election. The Board talked about the fact that not many local citizens come to the meetings at this time and that training is extensive for all the affected positions which would be Town Supervisor, Town Highway Superintendent, Town Clerk, and Tax Collector. The Town Supervisor said he has talked to the Association of Towns and they sent him a draft of a proposal should we decide to pursue this matter. We would have to send a request to our local Board of Elections as well before a decision could be made and they would have to approve it before it could go to a public hearing. The Town Attorney will draft this proposal for the February meeting.

Printers: Michael Volino said both he and the Highway Superintendent need new printers. They have decided to purchase two Brother INKvestment Tank MFC-J4335DW Wireless Color All in one Inkjet Printers. The cost of these would be approximately \$179.99 each. The Board had no objections.

Motion was made by Holly Chase and seconded by Noel Sylvester that the Board go into Executive Session to discuss a personnel matter. Put to vote, Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Unanimously carried.

Motion was made by Holly Chase and seconded by Daniel Gee that the Town Board return to their regular meeting at 9:00 p.m. Put to vote, Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Unanimously carried. There was no action taken following the executive session.

Motion was made by Daniel Gee and seconded by Noel Sylvester that the meeting be adjourned at 9:01 p.m. Put to vote, Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave, absent. Unanimously carried.

Minutes Respectfully Submitted by Sue Conklin, Deputy Clerk.