

A regular meeting of the Town Board of Thurston, County of Steuben, and the State of New York was held at the Town Hall, 7578 County Route 333 on the 19th day of March 2025.

Present: Town Supervisor: Michael Volino
Town Council: Holly Chase, Daniel Gee, Noel Sylvester, Jennifer Hargrave (Zoom)
Highway Supervisor: Ben Smith
Code Enforcement Officer: Nick Nolton
Assessor: Diana Dixon

Visitors: Richard Stewart, Wilma Stewart, Jeff Shearing, Sam Dick, Jeff Sweeney, Eva Turner, Marge Taft

The meeting opened with the Pledge of Allegiance to the Flag at 7:00 p.m.

Five Star Equipment: Michael Volino called on Jeff Shearing, present as the Sales Manager of Five Star Equipment. Jeff was present to answer any questions on the anticipated purchase of a new John Deere 772GP Motor Grader with 6-wheel drive. Jeff noted that since the Town is part of the OSG (Office of General Services) contract, we can purchase this grader at state bid price which is a 42% savings from the retail price. He gave a brief presentation of some of the features of the new grader and explained the warranty. He said with good maintenance; the grader should operate well within a 5000-to-8000-hour range.

Public Comment: Richard Stewart asked about the State requirement to change all websites to .gov websites. Michael Volino said we have an extension until December 21, 2025, to do so and each town must request a domain name first. This is according to General Municipal Law Section 300. This information came from the Association of Towns weekly update.

There being no further public comment, motion was made by Noel Sylvester and seconded by Holly Chase that we close public comment. Put to vote, all those present, aye. Carried.

Approval of Minutes: Motion was made by Dan Gee and seconded by Noel Sylvester that the minutes from February 19, 2025 public hearing and regular meeting be accepted as presented. Put to vote, all those present, aye. Carried.

Audit of Bills: The Abstract of Vouchers was presented to the Board prior to the meeting. Motion was made by Noel Sylvester and seconded by Dan Gee that the bills be approved for payment as follows:

General for \$29,292.32 – vouchers A53-A72
Highway for \$19,959.34 - vouchers DA28-DA40
Trust and Agency \$165.00 – voucher TA3

Clerk's Report: The Town Clerk reported that she sold 44 dog licenses in February, 15 vital records certificates, and received \$150.00 for town hall rentals. \$752 was collected with \$672 going to the Town and \$80 going to NYS Ag and Markets. She noted she is applying for a Record's Management grant in the amount of approximately \$20,000 for fireproof file cabinets, minute book covers and pages, and an Oath of Office book and pages.

Town Historian: Nothing to report.

Town Assessors Report: Diana Dixon said this is a busy time of the year for the Assessors and she is working on something for the Town newsletter.

Town Justice Report: Town Justice, Darlene Smith, turned over \$150.00 to the Town for February 2025. Michael Volino said the State no longer allows reporting of names of defendants to the public in these reports.

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Dog Control: Randy Akins report indicated several tickets issued for dogs running at large and that two stray dogs found running at large with no known owner were placed in the shelter.

- A **rabies clinic** has been set for April 24 from 6 to 8 p.m. at the Highway Shop

Code Enforcement: Nick Nolton reported one building permit issued for \$100.00 and a complaint that has resulted in a court appearance for April 1, 2025. He issued two certificates of occupancy and has 6 open violations.

Tax Collector: Sandra Nowick reported total Town and County taxes collected 1/1/25 through 3/19/25 in the amount of \$1,073,620.55 with \$786,068.81 paid to the Town Supervisor and \$285,000.00 paid to the County Treasurer. Michael noted she will be working until April 16 so her books can be (annual) audited after that time.

Highway Supervisor:

- Ben Smith said the lights in the shop have been installed and Michael Volino said we will be receiving a rebate of \$4482.77
- The gas tanks have been installed and the roof over them is done
- Garage doors are installed and working with a few tweaks needed
- He received a complaint of ruts on Helms Road and put a load of stone on it the next morning when the road was frozen
- Hauled stone to the intersection of Bonny Hill and Harrison Roads and fixed ruts
- Did some grading on Sauger Road
- Put stone on Tucker Road which also had deep ruts
- Parts for the road broom are here – we are waiting to sweep until we know snow is over
- Rakes and wheels are here for the stone rake
- Peterbilt 10-Wheeler replacing 414 should be here next week – final checks are being done in Rochester
- Working on the 284 agreement – checking on some pricing
- Plan to complete the Hanrahan Road project, which was started last summer with oil and stone, complete the guard rails on Knowles Road which were planned last summer
- Michael Volino said we are hoping to receive more money from CHIPS this year

Town Supervisor:

- Michael Volino attended the County Highway Superintendent's Meeting with Ben on February 20 in Addison
- January end of month closing is complete and was sent to the Town Board on March 3rd
- A NYS Deferred Comp meeting for employees was held at the Highway Shop on March 18th
- Michael is working on a \$5000 Perma Safety Grant for the new electric panel which needs to be installed at the Highway Shop
- We are working on items for the newsletter to be sent out the first week in April – please send to Jennifer Hargrave if you have something to put in the newsletter by weeks end
- The annual audit of the Town Supervisor and Tax Collector will be conducted in April

There being no further reports, the motion was made by Holly Chase and seconded by Noel Sylvester that the reports from Departments be accepted as submitted. Put to vote, all those present, aye. Carried.

Unfinished Business:

- Information was submitted by the Town Supervisor as to our options for the purchase of a new John Deere grader. The USDA Loan would cost \$27,000 over 15 years; a 2019 Used Model would cost \$49,000 over

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- five years; financing through John Deere would cost \$89,462.95 over 5 years, and to lease would cost \$57,625.21 over 5 years. (per year for each)
- USDA total cost \$403,126 at 4% interest with no pre-payment penalty, Five Star Bank interest rate is 5% interest currently. He noted we were approved for our request through USDA prior to budget cuts. Ben Smith said we would have training for the employees once the new grader is here. There was discussion over the purchase of too many new vehicles this year and Ben reminded the Board they will cost even more in two years if we wait. He said we maintain 55 miles of road a year in Thurston. Dan Gee and Holly said they were not comfortable with the purchase of four new vehicles this year. They felt it would not be financially feasible. Hargrave agreed (via Zoom). Holly Chase said she does not feel leasing is a good option but feels we should go with the USDA loan and hopefully pay it off early. It was noted the sale of the old grader would provide some money toward the cost of this new grader as it is anticipated we can get at least \$60,000 for that on the auction site. The repairs required are higher than that. Ben Smith said we can rebid on auction if we feel the price is too low and the representative from the auction site will be here tomorrow to take pictures and get our excess items advertised.
 - **Resolution # 5 of 2025 was proposed:**
WHEREAS the Town of Thurston requires the purchase of a motor grader for the purpose of improving public safety on their roads and enhancing the efficiency of the Highway Department.
AND WHEREAS the Superintendent of Highways has determined that the 2025 John Deere 772GP Motor Grader with 6WD meets the needs of the municipality and is the most suitable for the intended purpose,
AND WHEREAS the purchase price for the 2025 John Deere 772GP Motor Grader with 6WD is \$403,126.71 and funds will be received from a loan from the USDA at an interest rate of 4%,
NOW, THEREFORE, BE IT RESOLVED, upon motion made by Holly Chase and seconded by Noel Sylvester that the purchase of this 2025 John Deere 772GP Motor Grader with 6WD is hereby authorized and the Town Supervisor and Superintendent of Highways are authorized to execute the necessary contracts and agreements for purchase.
Put to roll call vote as follows: Holly Chase, aye; Daniel Gee, aye; Michael Volino, aye; Noel Sylvester, aye; Jennifer Hargrave (Zoom). Carried.
 - **284 Agreement:** Michael noted that Ben Smith is working on the 284 agreement as noted in his report. After setting aside \$25,000 for the Town section of the Savona Campbell Road, \$60,00 to complete the oil and stone for the Hanrahan Road project, and \$25,000 for the guard rails on Knowles Road, there will be \$200,000 remaining for repair of roads. Motion was made by Dan Gee and seconded by Holly Chase that the Highway Superintendent be authorized to move ahead with these projects. Put to vote, all those present, aye. Carried. Dan Gee asked Ben Smith to look at Bonny Hill Road right before the town line as there is a problem there.
 - **Dumpster:** The Town Supervisor said we have been discussing switching to a 4-yard dumpster. Thorpe's Disposal will do this for an additional fee of \$54 for the remainder of 2025. The cost will be \$33 per year or \$396 annually. Motion was made by Dan Gee and seconded by Noel Sylvester that the Highway Superintendent be authorized to move forward on this. Put to vote, all those present, aye. When asked who takes care of the Town Hall garbage, Michael Volino said he and the Town Clerk take care of it personally but will now use the dumpster.
 - **Metal Recycling** Holly Chase asked if we could consider having residents bring their metal recyclables to the Town Barn for us to dispose of and help clean up the town. Money from this program could then be used for a specific line item such as training or CDL licensing for the highway department. Michael will check to see if there are any restrictions if we do this.

There was no further unfinished business so upon motion by Noel Sylvester and seconded by Holly Chase, unfinished business was closed. Put to vote, all those present, aye. Carried.

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New Business:

- **Records Retention Schedule Resolution:** The Town Supervisor said that since the Town Clerk is applying for a records retention grant, the board needs to pass a resolution for the Town to adopt the Statewide Records Retention Schedule as a requirement. **Resolution # 6 of 2025 was proposed:**
BE IT RESOLVED by the Council of the Town of Thurston that the Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57A of the Arts and Cultural Affairs Law and containing legal minimum retention periods for local for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein, and
BE IT FURTHER RESOLVED that in accordance with Article 57-A: (a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1) after they have met the minimum retention periods described therein; and (b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond the established legal minimum periods.
Motion was made by Holly Chase and seconded by Dan Gee that this resolution be passed as presented. Put to roll call vote: Noel Sylvester, aye; Daniel Gee, aye; Holly Chase, aye; Michael Volino, aye; Jennifer Hargrave (Zoom). Carried.
- **Landfill Tickets:** The Town Supervisor said we have checked on the County allowing us to sell landfill tickets as a service to our residents as we've had some requests to do so. We would purchase a pad of 150 - \$20.00 tickets at a cost of \$2887.50. When sold for \$20.00 a ticket, this would allow a small benefit of \$.75 per ticket to the town. Motion was made by Holly Chase and seconded by Noel Sylvester that the town clerk be authorized to begin selling these tickets as of April 1, 2025. Put to vote, all those present, aye. Carried.
- **Budget Modifications:** The Town Supervisor/Budget Officer requested **Resolution #7** of 2025 for the following budget modifications:
BE IT RESOLVED that the Town Supervisor/Budget Officer be authorized to
Debit A599 Appropriated Fund Balance and credit A8160.4 Garbage Contractual \$2940.50 for landfill tickets and dumpster fee;
Debit A599 Appropriated Fund Balance and credit A5132.2 Highway Shop Equipment \$21,000 for new garage doors, roof over fuel tanks, and LED lighting for the shop;
Debit A599 Appropriated Fund Balance and credit A3510.4 Dog Control Contractual \$1008.50
AND BE IT FURTHER RESOLVED these budget modifications are required to keep the budget balanced.
Motion was made by Holly Chase and seconded by Daniel Gee that this resolution be approved as requested. Put to roll call vote, Dan Gee, aye; Holly Chase, aye; Noel Sylvester, aye; Michael Volino, aye; Jennifer Hargrave (Zoom). Carried.
- **Shared Service Agreement between NYSDOT and the Town:** Michael Volino said that he was notified by NYS DOT that our shared services agreement expires April 5, 2025. Although there are no state roads running through Thurston, this agreement gives them the authority to enter the town in the event of an emergency. The following Resolution # 8 of 2025 was proposed
BE IT RESOLVED this agreement, dated March 19, 2025, is between the People of the State of New York, hereinafter referred to as "State" or "NYSDOT" and the Town of Thurston, hereinafter referred to as "Municipality." Pursuant to Section 99-r of the General Municipal Law, the State and the Municipality wish to share services, exchange or lend materials or equipment which shall promote and assist the maintenance of State and Municipal roads and highways and provide a cost savings by maximizing the effective utilization of both parties' resources. Shared Services shall mean any service provided by one party (Provider) to another party (Recipient).
BE IT FURTHER RESOLVED, The State and the Municipality agree to share services as follows:
1. Description and Cost of Services, Materials or Equipment to be shared: Provide details of the services, materials, or equipment to be shared in the attached standard Schedule A. The total amount of the

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agreement shall not exceed twenty-five thousand dollars (\$25,000.00). If applicable, indicate that the return exchange will be determined at a later date.

2. The Provider's employees shall remain under full supervision and control of the Provider. The parties shall remain fully responsible for their own employees for all matters, including but not limited to, salary, insurance, benefits, and Workers Compensation.

3. If the borrowed machinery or equipment is damaged or otherwise needs repair arising out of or in connection with the Recipient's use, the Recipient shall be responsible for such repairs.

4. The Municipality agrees to defend and indemnify the State for any and all claims arising out of the Municipality's acts or omissions under this Agreement. Subject to the availability of lawful appropriations and consistent with Section 8 of the State Court of Claims Act, the State shall hold the Municipality harmless from and indemnify it for any final judgment of a court of competent jurisdiction to the extent attributable to the negligence of the State or of their officers or employees when acting in the course and scope of their employment.

5. The term of this Agreement shall be for four (4) years from April 5, 2025, to April 5, 2029. The parties will endeavor to provide no less than thirty (30) days' notice of its intent to extend the Agreement. Either party may revoke this Agreement by providing sixty (60) days written notice of such revocation. Upon revocation, any outstanding obligations of the parties must be satisfied within thirty (30) days of the date of such revocation.

BE IT FINALLY RESOLVED that Schedule A be included as follows:

NYSDOT

Description of services, materials, or equipment to be shared:

Like or similar services, equipment, and/or materials in support of highway needs including snow and ice control.

Estimated Cost/Value of Service Equipment Materials Total NYSDOT Cost/Value: not to exceed \$25,000

MUNICIPALITY

Description of services, materials, or equipment to be shared: See description above.

Estimated Cost/Value of Service Equipment Materials: Total Municipality Cost/Value: not to exceed \$25,000

Motion was made by Holly Chase and seconded by Noel Sylvester that this Resolution be accepted as written.

Put to roll call vote: Dan Gee, aye; Noel Sylvester, aye; Holly Chase, aye; Michael Volino, aye; Jennifer Hargrave, (Zoom). Carried.

- **GRANT FUNDING:** The Town Supervisor said NYS is offering \$20 million in Parks and Recreation Grants for Municipalities. He said he would like to apply for a grant to build a pavilion at the playground and possibly put a permanent cover on the ground. The Board agreed.
- **2025 NYAOT ANNUAL FINANCE SCHOOL** in Saratoga Springs. Motion was made by Holly Chase and seconded by Noel Sylvester that the Town Supervisor be authorized to attend this training school from April 22 – 24, 2025 at a cost of approximately \$953 which includes registration, lodging, and mileage. Put to vote, all those present, aye. Carried.
- **NEWSLETTER AND COMMUNITY DAYS** Holly Chase said we are planning to have community days again and have some of the Town heavy equipment available for children to have their pictures taken on it. She asked if Ben could bring a couple of pieces of equipment to the Town Hall so we could have the event there instead of at the shop. Ben said he could, but it would take up parking spaces. They discussed having the community days at the Town Hall and letting folks know the equipment was available at the shop for pictures with their children.

There being no further new business, motion was made by Holly Chase and seconded by Daniel Gee that all new business be closed. Put to vote, all those present, aye. Carried.

It was noted the next meeting will be April 16 at 7:00 p.m. with a public hearing on Local Law #4 prior at 6:45 p.m.

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Motion was made by Holly Chase and seconded by Noel Sylvester that the meeting be adjourned at 8:15 p.m. Put to vote, all those present, aye. Carried.

Minutes respectfully submitted by Sue Conklin, Town Clerk