

Minutes of the Regular Monthly Workshop Meeting of the Town Board of the Town of Durham held March 5, 2019 at the Town Hall commencing at 7:30 p.m.

Present: Shawn Marriott, Supervisor
Joan Breslin, Deputy Supervisor
Linda Sutton, Councilmember
George Deckers, Councilmember
Jerry Cunningham, Councilmember

Recording Secretary: Janet Partridge, Town Clerk

Others Present: Karen Tirpak, Bookkeeper
Mark Overbaugh, Code Enforcement Officer
David Cunningham, Building Inspector
Lois Rockefeller, Bldg Dept Clerk
Thomas Sutton, Police Sgt.
Joseph vanHolsteyn, Highway Superintendent
Maryellen Brooks, Assessor's Clerk
Tal Rappleyea, Town Attorney
7 community members

Supervisor Marriott called the meeting to order at 7:30 pm followed by the pledge to the flag.

Marriott reported one anniversary this meeting. MaryLou Nahas started on the BAR March 1, 2008. Marriott thanked Nahas for her dedication to the town over the years.

Highway Superintendent van Holsteyn presented his 284 Form, a highway funds resolution. He read the Resolution and reminded the Board that the funds were budgeted last fall. This resolution is for maintaining the cycle of road improvements for the Town of Durham. The resolution is a living document and can change to add more roads if funds are available. Discussion followed.

A motion was made by Council Member Cunningham to approve the following Resolution, 2019-05:

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

Town of Durham
County of Greene

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, shall be expended as follows:

- 1 **GENERAL REPAIRS.** The sum of **\$215,000** may be expended for general repairs upon 79 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and Boardwalk or renewal thereof

- 2 **IMPROVEMENTS.** The following sums shall be set aside to be expended for the improvements of town highways:
 - a.) On the road commencing at Stone Bridge to County Rte. 20 (Rockwell Rd.), the complete length, there shall be expended the sum of **\$26,400**

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|-----------|-------------|-------------------------------------|
| Type | Oil & Stone | Width of traveled surface - 18 feet |
| Thickness | 2 coats | Subbase Existing road pavement |

 - b.) On the road commencing at County Rte. 20 to Sutton Rd.(Gulf School House), the complete length, there shall be expended the sum of **\$61,000.00**

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|-----------|-------------|-------------------------------------|
| Type | Oil & Stone | Width of traveled surface - 18 feet |
| Thickness | 2 coats | Subbase Existing road pavement |

 - c.) On the road commencing at 6,000 feet on Cornwallville to 12,000 Feet on (Cornwallville Rd), the complete length, there shall be expended the sum of **\$90,000.00**

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|-----------|----------|-------------------------------------|
| Type | Blacktop | Width of traveled surface - 18 feet |
| Thickness | 3 " | Subbase Existing road pavement |

 - d.) On the road commencing at Brown Rd to State Rte 145 (Hillcrest Rd), the complete length, there shall be expended the sum of **\$23,600.00**

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|-----------|-------------|-------------------------------------|
| Type | Oil & Stone | Width of traveled surface - 18 feet |
| Thickness | 2 coats | Subbase Existing road pavement |

 - e.) On the road commencing County Rte. 27 to Dead End (Kennedy Ln.) the complete length, there shall be expended the sum of **\$10,800.00**

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|-----------|-------------|-------------------------------------|
| Type | Oil & Stone | Width of traveled surface - 18 feet |
| Thickness | 2 coats | Subbase Existing road pavement |

 - f.)

 - g.)

No moneys set aside for such improvements shall be expended, nor shall any work be undertaken on such improvements, until the County Superintendent approves the plans, specifications and estimates for such construction. This agreement shall take effect when it is approved by the County Superintendent of Highways.
Executed in duplicate this **5th day of March , 2019.**

| | |
|---------------------|-----------------|
| _____ | _____ |
| Town Superintendent | Town Supervisor |
| _____ | _____ |
| Councilperson | Councilperson |
| _____ | _____ |
| Councilperson | Councilperson |

The foregoing Agreement is hereby approved this 5th , March 2019.

County Superintendent of Highways

The motion was seconded by Council Member Deckers.

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| Mr. Marriott | Aye |
| Ms. Breslin | Aye |
| Mr. Cunningham | Aye |
| Ms. Sutton | Aye |
| Mr. Deckers | Aye |

The resolution was thereupon declared adopted.

Cunningham asked if the signs for the Town Law on weight limits were available yet. Van Holsteyn reported that he had the signs and they would go up this Spring.

Van Holsteyn explained to the Board he has a bid in on a 1990 paver for \$2,550. It needs repairs but he is looking to cut costs in renting a machine to use.

The Board discussed the de-facto subdivision of the Perzanowski simple subdivision on Morrison road with Attorney Rappleyea. Rappleyea contacted the County and Perzanowski's surveyor and agreed with both that if an attachment written by Rappleyea was attached to both the survey and the deed, then the Board can approve the subdivision and Marriott can stamp the old survey.

A motion was made by Cunningham to approve the de-facto simple subdivision on condition that the following statement is attached to both the survey and the deed:

The Town of Durham has enacted a subdivision law which grants authority to the Town Board to review and approve subdivisions. This deed creates a subdivision of the parcel bearing Tax Map Number 64.00-3-16, utilizing the centerline of Morrison Road as the subdividing line. The Town Board of the Town of Durham has approved the within subdivision, since it is a 'de facto' subdivision occurring only along the Town highway known as Morrison Road by resolution adopted on March 5, 2019. The Town makes no representations with respect to encroachments or other similar type issue on either newly created parcel and the conveyance is subject to any state of facts that would be revealed by a survey.

Seconded by Deputy Supervisor Breslin, all in favor, motion carried. (5 Yeas – Marriott, Breslin, Cunningham, Sutton, Deckers)

Discussion on the Comprehensive Plan followed. Marriott updated everyone on how much was spent so far, with donations and monies received back from the grant, to date we have \$1,422 that the Town has spent this year and have not been reimbursed for. We have not yet received the bill for the work done by our consultant on the focus groups. Members of the committee explained there is work that can be done by them and they would only need Nan Stolzenburg for consulting periodically. They will be doing two meetings a month. Marriott appointed Breslin to serve as Co-Chair of the committee with Chuck Brooks since he is not able to make more than one meeting a month. Marriott would like the committee to look into adding another member to the committee so there is an odd number of members. Discussion followed on the process of the Plan update and how the survey will be a part of the plan.

CarolAnn Mathews asked if the Town was going to speak to the owners of the old Wayside property on the condition it is being left in. It doesn't look good coming into the hamlet of Oak Hill on the main highway.

Council Member Sutton asked about CEO Overbaugh implementing the law that you can only have two or less cars on your property without a violation being cited. She referenced a property near Camp Govoah on old Rte 67. Overbaugh said he would look into it.

Cunningham asked Rappleyea if he had addressed the PILOT program in lieu of taxes with the solar company for Jennings Road. Rappleyea reminded the Board that they had already put them on notice that the Town would require it. The company cannot proceed until an agreement is made. It would be up to the Solar Company to start the process.

At 8:14 pm Cunningham motioned to adjourn, seconded by Breslin.

Respectfully Submitted,

**Janet Partridge,
Clerk/Collector**