

Minutes of the Regular Monthly Workshop Meeting of the Town Board of the Town of Durham held March 3, 2020 at the Town Hall commencing at 7:30 p.m.

Present: Shawn Marriott, Supervisor
Joan Breslin, Deputy Supervisor
Linda Sutton, Councilmember
George Deckers, Councilmember
Scott Hulbert, Councilmember

Recording Secretary: Janet Partridge, Town Clerk

Others Present: Tom Sutton, Police Sgt.
David Cunningham, Building Inspector
Mark Overbaugh, CEO
Joe van Holsteyn, Highway Superintendent
Tal Rappleyea, Attorney
Karen Tirpak, Bookkeeper
Patty Handel, Legislator
Chris Kohrs, Court Clerk
37 community members

Supervisor Marriott called the meeting to order at 7:31 pm followed by the pledge to the flag.

Marriott announced one anniversary; Mary Lou Nahas started working for the town on March 1, 2008. He thanked her for all her work.

A motion was made by Deputy Supervisor Breslin to open the public hearing on the Comprehensive Plan Draft, seconded by Council Member Hulbert, all in favor, motion carried. (5 Ayes – Marriott, Breslin, Sutton, Deckers, Hulbert)

Bernard Rivers, a member of the Plan committee gave an overview of the work they have put into developing the new Plan. The core group working on the plan consisted of 4 members. Nick Nahas started the committee a couple of years ago and the committee feels he would be pleased with what has been developed. The last plan was adopted in 2008, very little action has been implemented on it, and that is not good. The new plan is about half as many pages as the old one. Joe Sniado explained the plan is based on feedback from public. Each action plan they have can be traced back to the survey and what the community wants.

The committee's hope is that this plan will not sit on a shelf and nothing gets done. We need people to volunteer and anyone who wants to be on the implementation committee should reach out to the Town Board. Jim Stone asked if the committee looked at other towns' comprehensive plans to see how they are bringing people in. Breslin said they did, but to start with they looked closer at the feedback from our own town through the survey. The idea was if they took into consideration what our community would like to see improved or implemented, then there would be more people willing to volunteer to make it happen.

Dorothee Walliser, one of the owners of the DeWitt in Oak Hill, thanked the committee for all their work. She is emotionally and financially invested in the town of Durham. She strongly supports recommendation 4 in the plan, encouraging economic development. As a business owner, she cites difficult interactions they have had with the building department as possible issues with new businesses coming in and that the Board would need to take full responsibility if new businesses do not come in because of the road blocks in starting a business. She and her business partner love the area and have encouraged others to come and enjoy the area. They would like to be involved in the implementation of the plan to make sure others have help in developing new business here.

Maryann Ledda mentioned there needs to be a vision for new businesses or they will not come and people will leave the area. They need to know who they can go to for help and not have so much red tape or paperwork. Marriott said a lot comes down to communication. He doesn't want to see anything take too long to get done, but they can't cut corners. They still need the building department to do the right thing. He definitely doesn't want the town to be thought of as a stumbling block.

Margaret Kelly of McCafferty Road raised her children here and she and her husband are looking to able to stay here in the town of Durham and age here as best as they can. With the size of our community she feels they should be able to do that. Councilmember Deckers suggested talking to the colleges to see if we can get a doctor to volunteer in our area to help with tuition costs if they do this program. Marriott reiterated it is all about getting the word out there and communication. He suggested reaching out to the IDA. Florence Ohle suggested reaching out to the Greene County Rural Health Network. Breslin also suggested anyone interested in volunteering for the implementation committee, please let us know. She also encouraged community members interested in what is going on in the town to please sign up for email notices.

Daniel Lerner wants the Board, through the plan, to encourage new businesses and agricultural incentives. Whether it would be through taxes or what the mechanism would be to improve that. Rappleyea reported the NYS legislature is the sole taxation body. They do allow some exemptions, and there are guidelines on how that works. We currently do have agricultural exemptions and new business exemptions along with incentives for new homes.

Deckers suggested more use of grant writers even in the private sector to help bring new businesses into the town. A lot of town use their engineers to help with this. The key is communication because information is out there but knowing who to come to for that information is where we need to improve.

Marriott asked if anyone from the board has any concerns with the draft plan. One concern was there are two events in the town that are big events that bring many people into town. It was suggested that the town board suggest they coordinate their times so they don't overlap. It was brought up that the Michael J Quill Center is underutilized and the implementation committee should look into using it more.

Marriott explained the board can suggest changes and have another public hearing or they can make a motion to send the current draft to the county planning board.

A motion was made by Hulbert to send the Comprehensive Plan Draft to the County Planning Board for approval, seconded by Sutton, all in favor, motion carried. (5 Ayes – Marriott, Breslin, Sutton, Deckers, Hulbert)

A motion was made by Beslin to close the public hearing on the Draft Comprehensive Plan, seconded by Hulbert, all in favor, motion carried. (5 Ayes – Marriott, Breslin, Sutton, Deckers, Hulbert)

The board reviewed the Site Plan Review submitted by Sara Stickler and JB Queen for their property located at 7842 Route 81. Marriott read a letter written by them since they are not able to be at the meeting. Mary Lou Nahas spoke for them. She said it was a project to put in a sweater shop on the first floor of the house and an apartment on the top. She also reminded the board this follows what the Comprehensive Plan suggests on encouraging new businesses to the Town. A community member asked about parking and which house it was. Nahas told them they hoped to renovate other houses along route 81, but they haven't purchased them yet so that is in the future. Marriott said after hearing that statement and the fact that there are questions from the audience, he would like to set up a public hearing. He wants the other property owners to get more information, are properly notified and we are doing everything the right way. He feels they need to also submit a little more information and a better design layout. Rappleyea agreed and suggested an executive summary and narrative submitted.

Breslin asked if a public hearing is required. Rappleyea said our town law gives the board the right to waive a public hearing if they want. Deckers added since it is on a state highway it will need to be reviewed by the county planning board. Nahas said they filled out a letter and explained everything. Partridge said she did not get that but it might have been in with the building permit. Nahas said Inspector Cunningham also had them fill out a Certificate of Appropriateness and that doesn't apply to Oak Hill. She said they have filled out many forms. Partridge explained to the board her discussions with Ms. Stickler and what she gave to the town clerk. Paperwork that was given to the building department hasn't been shared with the town clerk. Nahas expressed that they believed they had filled all the paperwork they needed and now they are taking steps back. Marriott asked Rappleyea to get in touch with the property owners and make sure that they know what other documents they need to submit to the town board. Nahas expressed that the owners are very sincere and are willing to put money into the economy of the Town. Rappleyea explained we do not have the red tape that other towns do because we do not have zoning but we still have steps and processes we have to follow through our laws. The SEQR states if there is a larger project, the answers to the questions would be different. Breslin explained that the applicants don't even own the other properties and they have not put that in their application. Nahas said the owners want guidance and they want to follow the proper steps. Marriott asked Cunningham when he last spoke with them. He said he spoke with the last week and suggested they get an engineer onboard. A community member let the board know that the site plan review is for making sweaters. Marriott reminded Nahas that they are not trying to be a stumbling block, but the board has to answer to the state and follow their guidelines.

A motion was made by Deckers to set the public hearing for this site plan review at our next meeting, March 17th, seconded by Hulbert, all in favor, motion carried. (5 Ayes – Marriott, Breslin, Sutton, Deckers, Hulbert)

A motion was made by Hulbert to sign the yearly contract with Crosspoint Connect for the maintenance of our phones and communication lines, seconded by Sutton, all in favor, motion carried. (5 Ayes – Marriott, Breslin, Sutton, Deckers, Hulbert)

Van Holsteyn read his memorandum on purchasing a new zero turn mower under the NYS contract for \$6200 from Windham Equipment. He suggested taking the funds out of 5 available accounts: Cornwallville cemetery, Stone Bridge cemetery, Brown Rd cemetery, and the rest from the town contingent account.

A motion was made by Deckers to approve the purchase of the mower, seconded by Sutton, all in favor, motion carried. (5 Ayes – Marriott, Breslin, Sutton, Deckers, Hulbert)

Partridge read her letter to the board about the extra cash boxes Deckers was interested in having at the town for the town clerk's office receiving monies and on the security system at the town. The funding is earmarked in the budget to get a new security system for the town building and she asked if the town board was going to work on finding one this year.

Deckers read under section 64 of general powers of town boards on passing a resolution for petty cash funds. He mentioned he went to training school recently and he thanked the tax payers for sending him there. He said he learned there should be two separate cash drawers in the town clerk's office, one for the town clerk and one for the deputy so if something did happen there would be a protection in place. Therefore he is bringing it to the board and it is only a suggestion. Breslin asked about the email on purchasing cash drawers or cash boxes. Partridge said there is a wide range of prices. The email she received from the comptroller's office mentioned cash drawers. Breslin asked are we looking to purchase 4 cash drawers for everyone who receives money. Partridge reminded the board she is the only one in her office now, there is no deputy, but they had talked about two for the court office. Court Clerk Kohrs said they use bank bags so they don't need drawers. Deckers asked Kohrs if she made change and she said no. Deckers said then he isn't concerned about that it is making change. Partridge said when he came into her office to talk to her; he talked about those collecting cash. He disagreed and said he was only talking having two cash draws, one for the deputy and one for the town clerk. He said he was only bringing it up as a suggestion and the board has the authority to create policy. Sutton asked how much money is taken in on a daily basis. Partridge reported for the town clerk's office there are some days it would be \$30-\$50. There are times when someone comes in and pays for a building permit and that could be \$100. She doesn't know how much the court takes it. She asked how much that rolls over to the deputy. Breslin mentioned there isn't a deputy now.

Marriott said yes, the board is going to update the security system this year. Marriott said he apologizes that something always seems to come up and we aren't able to work on the new system but that is not what we are talking about here. We are talking about two cash boxes for

the town clerk's office only, where it started to turn into what the court is doing and what the security in the building is, it is deflecting from the initial issue. We are talking about two people in the town clerk's office and two separate cash boxes. There is still a security system in place that works; he knows because he has gotten a call in the middle of the night; and there is fire protection, it just needs to be upgraded.

Deckers said he was talking about a petty cash drawer; he wasn't getting involved with the boxes. Deckers explained he was thinking if something is missing from a cash drawer, if the town clerk and the deputy town clerk have their own cash drawer it would protect the town. Partridge explained the good part of our system is that every payment processed in the town clerk's office is under the name of the clerk doing that transaction. Also, a general receipt is filed out by hand for all monies collected in our office and it is signed by the person taking in the money. Hulbert said it sounds like it is separated. Deckers said it is only a suggestion to have two different drawers. Deckers tried to explain why he means cash drawers. Marriott asked if Deckers was looking for the Deputy Clerk to have a petty cash drawer and the Town clerk has a separate petty cash drawer, in case there was ever an issue with the deputy clerk. Sutton said it seems like she already has it covered by having it documented and she didn't think we needed more petty cash funds. Breslin mentioned even if there are two separate drawers or boxes, we still don't have a secure place to have them in the building. Although they can be locked in a desk, that is not really secure from everyone. Marriott asked about when there needs to be a deposit and the deputy needs to give the money to the Town Clerk and it is locked in the desk. Marriott said it was mentioned in the audit reports that the deposits need to be made more frequently and not wait to do them once a week. Partridge said she has 72 hours to do the deposits. Marriott said they mentioned to not wait a whole week but to get the deposits done sooner. Partridge said she doesn't do them once a week. Marriott said he remembers that. Marriott said if separate boxes are in separate desks locked, he doesn't know if the system we have works. We have to find a system that works. Deckers said it is only a suggestion. He said there is no intent to find fault, it is brought up as a practice of internal controls. Deckers said the town board has the authority to create a better design and it is up to the board to make that decision. Marriott asked are we going to change anything on the cash drawers. Hulbert said it sounds like the system being used now is working. Partridge reminded the board she is the only one in the clerk's office right now.

Marriott announced on March 10th there will be a meeting to work on revising the employee handbook.

Sutton announced the corned beef and cabbage dinner at the Shamrock House on March 17th and asked everyone to come support the Task Force.

A community member asked what time the meeting on March 10th would be. It would be at 7pm. It was asked if Rappleyea would be at the meeting so there wouldn't be any misinformation. Rappleyea said he could not be at the meeting.

The owners from the DeWitt Hotel asked when they would be getting their CO. Marriott asked Cunningham when they can get their CO. A meeting was set up for Thursday with Cunningham and Marriott and the owners. They expressed they are in a situation where they are low on

money and are trying to start the business. They have felt like they have been pushed away and treated in a very disrespectful manor. They are upset that they have spent a massive amount of money on their business and they have not yet had a change to make money. Marriott apologized to them and said he was frustrated too.

Sutton had a question for Deckers. She said he had invited a person from workplace violence to come to a meeting. Deckers said no, Common Ground. Sutton felt it should be cancelled to avoid a conflict of interest. Deckers said he was given that person from the association of towns. Sutton reminded him she talked to him in the executive session last time about not having anyone from Greene County. She suggested someone from out of the county. A community member said if there was a conflict with anyone at Common Ground that are other qualified people there. Marriott said this should be discussed in executive session since that is where they all talked about it.

A motion was made by Hulbert to adjourn at 9:18pm, seconded by Deckers.

Respectfully Submitted,

Janet Partridge,
Clerk/Collector