

Minutes of the workshop meeting of the Town Board of the Town of Durham held June 2, 2020 by telephonic conferencing at 7:30pm.

**Present, called in:** Shawn Marriott, Supervisor  
Joan Breslin, Deputy Supervisor  
Scott Hulbert, Council member  
Walt Bennett, Council member

**Absent:** Linda Sutton, Council member

**Recording Secretary called in:** Janet Partridge, Town Clerk

**Others called in:** Karen Tirpak, Bookkeeper/Judge  
Tal Rappleyea, Attorney  
Joe van Holsteyn, Highway Superintendent  
Mark Overbaugh, CEO  
David Cunningham, Building Inspector  
Patty Handel, Greene County Legislator  
Maryellen Brooks, Assessor's Clerk  
15 community members

Supervisor Marriott called the meeting to order at 7:33pm.

Marriott started the meeting with anniversaries. Mike Allan started on the BAR May 25, 2017, John Shauger started with the police department 5/28/2002 and John VanTassel started as a peace officer/animal control officer May 21, 2014.

The Town Board received notice from the Greene County Planning Board they had reviewed the Comprehensive Plan submitted by the Town of Durham with a determination that leaves the decision to the local government with comments on improvements. Deputy Supervisor Breslin reviewed their comments and reported the committee considered several of their suggestions but felt they wanted the Plan to be obtainable. Bernard Rivers commented there are several comments from the Planning Board that the Town should consider in the future, but they wanted the Plan to be implementable and focused on things that were achievable. He believes the Plan is ready to be adopted and asked the Board to consider directing the implementation committee to examine the comments from the County Planning Board as they proceed with their work.

**A motion was made by Council Member Bennett to approve the following Resolution:**

**Resolution 2020-07 of the Durham Town Board  
Adoption of the Town of Durham Comprehensive Plan**

**WHEREAS**, a Comprehensive Plan is a statutorily recognized instrument under Town Law §272-a for the immediate and long-range protection, enhancement, growth and development in a Town; and

**WHEREAS**, a properly crafted comprehensive plan assists with the protection of the health, safety and general welfare of the citizens of the Town; and

**WHEREAS**, the Town of Durham Town Board identified that an updated comprehensive plan was needed to properly plan growth and development, protect the environment and enhance the health, safety and welfare of the community and residents; and

**WHEREAS**, the Town of Durham convened a Comprehensive Plan Committee to study the Town, collect data and prepare a draft comprehensive plan; and

**WHEREAS**, the Town engaged in an extensive effort to solicit public and community input into the comprehensive planning process; and

**WHEREAS**, as a result of the public input and the efforts of the Comprehensive Plan Committee, a Town Draft Comprehensive Plan was prepared and submitted for Town Board consideration; and

**WHEREAS**, one public hearing was held by the Comprehensive Plan Committee to solicit input from the community as per Town Law §272-a; and

**WHEREAS**, the Town Board has reviewed the draft Comprehensive Plan and conducted a public hearing thereon; and

**WHEREAS**, the Town Board of the Town of Durham has caused to be prepared a Long Environmental Assessment Form (EAF) pursuant to the mandates of the State Environmental Quality Review Act (ECL Article 8 and 6 NYCRR Part 617); and

**WHEREAS**, the Town Board has duly considered the contents of the EAF and completed Part 2 thereof; and

**WHEREAS**, the Town Board has identified the relevant areas of environmental inquiry and taken a hard look at them; and

**WHEREAS**, the Town Board has issued a negative declaration under SEQRA thereby complying with the mandates of the State Environmental Quality Review Act; and

**WHEREAS**, the Town Board has completed requirements of NYS General Municipal Law 239-m by forwarding a copy of the draft plan to the Greene County Planning Department

**WHEREAS**, the Greene County Planning Board determined that the Plan did not contain any features that required it to be approved or disapproved by the Planning Board while submitting some non-binding comments and suggestions to the Town Board

**NOW THEREFORE, Be It Resolved as Follows, By the Town Board of Durham, Greene County, New York:**

That the Town Board of the Town of Durham hereby determines that the Town Comprehensive Plan, attached hereto and made a part hereof, is hereby adopted as the Comprehensive Plan of the Town of Durham.

**Seconded by Breslin, all in favor, motion carried.** (4 Ayes – Marriott, Breslin, Hulbert, Bennett, 1 absent – Sutton)

The Board is looking for community members to be on the implementation committee. Breslin and Rivers will discuss who they recommend as chairperson or if they will have co-chairs. They both volunteered to be on the committee and they invite anyone interested in serving on the committee to contact them.

Marriott reported the Safety Plan committee had two meetings. They discussed the guidelines. Friday Marriott will work on getting all the PPE in place. If he is able to get that done, the plan will be to open the building on Monday June 8<sup>th</sup>. Hours available for each department will be posted on the website. Open hours will be posted. Attorney Rappleyea said the Plan does not need to be approved by the board, just available for everyone.

The board discussed meeting at the Town Hall for meetings, just the board members and everyone else would be on teleconference. Breslin suggested a microphone to test it out. Rappleyea wouldn't come in person. Marriott wasn't sure it was a good idea.

The Town Board discussed the LaRosa minor subdivision application on route 10. The Town engineer has been in contact with Mr. LaRosa's engineer. Rappleyea said he didn't get a chance to review the most recent email. Mr. LaRosa and his engineer were able to answer questions from the Board. Concern was expressed with whether emergency vehicles could get up the driveways. He would have to contact the fire chief and walk the property. They would like confirmation from the fire company that the slope of the driveway would work for a fire truck to easily access the houses. The Board would like a final review from the Town engineer. Once these are submitted, a public hearing can be scheduled.

Sara Stickler had some questions on the Site Plan Review approved by the Board. What are the requirements from DOT. Building Inspector Cunningham explained they will have to fill out a permit form with the state since the property is being changed from residential to commercial. They will have to find out if the state will approve the parking lot. Stickler questioned whether they needed stamped architectural plans especially since it is a historical property. Marriott explained if the building is being changed to a commercial property, it must meet all requirements from the building department. Stickler felt they should have been notified last October if they change the use of the property they would need stamped plans and a permit from NYS DOT. She then asked if they went through with all that is asked, will there be new requirements on the septic. Will they be able to use the existing septic. Cunningham said it would have to be reviewed and approved by an engineer also. Council member Hulbert stated he has been in the construction business for over 34 years. He said when Stickler hires an engineer, they will be able to answer any questions she may have. Discussion on historic residential properties and historic commercial properties continued.

Van Holsteyn reported a 2020 contingent roads plan. He would like to change the prior 284 resolution approved by the board. SEE ATTACHED. Discussion followed. Breslin and Hulbert reminded van Holsteyn the roads he is removing from the plan are the top 2 roads complained about in the town, but if that is what he thinks is best for the Town, they will support him.

**A motion was made by Hulbert to amend the prior resolution to remove Allen Teator Road reclamations and Sutton Road Reclamations and include Stone Bridge Road Ext, Dunn Road, and Paddock Road as recommended by highway superintendent van Holsteyn, seconded by Breslin, all in favor, motion carried.** (4 Ayes – Marriott, Breslin, Hulbert, Bennett, 1 Absent – Sutton)

**A motion was made by Hulbert to approve Superior Disposal as our disposal company with weekly pickups May-October and bi-weekly the rest of the year, seconded by Breslin, all in favor, motion carried.** (4 Ayes – Marriott, Breslin, Hulbert, Bennett, 1 Absent – Sutton)

Marriott told the board he received the tentative independent accountant's report on applying agreed-upon procedures for the Town Justice court records. He would like the board to approve him signing the tentative report and letter. He will get copies to everyone. The report looks the same as every other year, with nothing new.

**A motion was made by Marriott to approve him signing the report and letter from UHY LLP on the Town Justice Court records, seconded by Hulbert, all in favor, motion carried.** (4 Ayes – Marriott, Breslin, Hulbert, Bennett, 1 Absent – Sutton)

The school district ballots are due back to the school by 5pm on June 9<sup>th</sup>. It would be great if everyone would reach out to those who don't have internet access to let them know. We should check into whether we can drop off sealed ballots for people who can't get to the district office.

The Board discussed an alternate 4<sup>th</sup> of July celebration. They would need to have a special meeting to set it up. Breslin will reach out to Linda Sutton. If there is a meeting set up, it would be through the Durham Task Force.

Mary Lou Nahas wanted to let the Board know the flower baskets look great. She thanked the highway crew for putting them up. She also thanked those who participated in Nia Jackson's 95<sup>th</sup> birthday parade. It was great to see so many people come out. Ms. Jackson served the town in many aspects.

Council Member Bennett read an anonymous letter the Town received on a property. The Board will forward the information to our CEO.

Bennett reported he had lots of help replacing the flags for the veterans at the Town's cemeteries this past weekend. They placed 256 flags.

Questions from the Floor:

Mary Ann Ledda discussed concerns she had with the large amount of households in our town that do not have broad band access. She would like the Town to look into the RDOF grant to help rural areas get more broad band access. Marriott said they will have the implementation committee look into getting more access. He reported it is very expensive to run the wire. Mid-Hudson is not going to run the wire if it is not profitable for them. If there are not 15 residents within a 1 mile stretch of road, they do not have to run the cable. It would cost \$47,000 to run it. Ledda is looking for the Town to put some pressure on Mid-Hudson to look into this grant to help fund more cable lines. She explained the FDOF grant program has time restraints. Marriott said he could meet with Mid-Hudson on Friday, the 5<sup>th</sup>, he has the day off. He said Mid-Hudson has only 420 customers in the Town of Durham, therefore our town is not a large entity for them. Jan Perlin mentioned the grants are actually free money for them to improve their infrastructure and that will increase their profits.

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Rosemarie O'Brien would like to be on the broad band committee. She said she could forward some information to Marriott if that would be helpful. Marriott said he will reach out to Mid-Hudson on Friday.

The Board discussed the flags at Winston and Cornwallville cemeteries need replacement.

**Hulbert made a motioned to adjourn at 9:56pm, seconded by Breslin, all in favor, motion carried.**

Respectfully submitted,

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Janet Partridge  
Town Clerk/Collector

## 2020 CONTINGENT ROADS PLAN

Alan Teator Reclamations	\$45,000	Removed
Sutton Reclamations	\$35,000	Removed
Cornwallville Rd	\$90,000	Planned
Hillcrest	4300 Ft X5.50 = \$23,650	Planned
Stone Bridge Extension	10,300FT X 5.50 = \$56,650	Alternate 1
Dunn	4300 FT X5.50 = \$23,650	Alternate 2
Paddock	3800 FT X5.50 = \$20,900	Alternate 3

Total \$214,850  
 Chips/Pave NY/EWR Total at 100 % is \$254,604

What money I have left over from these projects and the unused funds will be used to try continue paving Alan Teator. The funds are easier to control when doing preservation than rebuilding. I can add or subtract from the projects. I have figured out percentages in case they cut our funding back this year. I also checked we have enough funds to carry the projects in case they are slow to reimburse the Town.

Dederich	2650FTX5.50 = \$14,575	These are other options
Goff	1700ft X 5.50 = \$9,350	
Carroll Rd	1200ft X5.50 = \$6,600	
Durso Ave	1900FT X 5.50 = \$10,450	
Durso Loop	1600ft X5.50 = \$8,800	