

Minutes of the meeting of the Town Board of the Town of Durham held May 20, 2003, at the Town Building in Oak Hill, N.Y.

Present: Robert Young - Supervisor  
 William A. Carr, Jr. – Councilman  
 Robert Elpel - Councilman  
 Linda Sutton – Councilwoman  
 Gary Hulbert - Councilman

Recording Secretary: Charles Soderblom - Town Clerk  
 Others Present: Wesley Moore - Highway Superintendent  
 Gordon Bennett – Sole Assessor

The Supervisor called the meeting to order at 7:31 P.M. with the Pledge to the Flag. Thirty-five people were present.

**Mr. Carr made the motion seconded by Mr. Elpel with all in favor to approve the minutes of April 1 and April 15.**

Mr. Young had distributed correspondence to the board members.

The Durham Chamber of Commerce will hold a parade July 5 at 11:00 a.m. **Mr. Carr made a motion the parade be approved with one lane available for traffic at all times. Mr. Elpel seconded the motion and all were in favor.**

Charlie Soderblom read a letter from the Durham Little League thanking the board for the recent purchase of a scoreboard for the Brandow Field.

Wesley Moore read the Highway Superintendents Report for April. He had 105 tons of road salt delivered for stockpile and to repay DOT in Cairo for what we had borrowed. 1352 tons of Item #4 was hauled in and used to backfill around the culvert pipes that had been replaced and some back road repairs. 1415 tons of #1 crushed stone and 568 ton of #1a crushed stone has been hauled from Carvers and stockpiled for this year paving projects. 71 tons of cannel stone, a coarser stone, was brought in to line ditches. Wesley also had a list of surplus equipment that will be going up for sale. The bids will be opened June 17 at the board meeting. Wesley had quotes to seal Brandow tennis and basketball courts.

Copeland Coating	\$1,600. Black sealant and relined
T.L.T. Sealcoating	\$1,200. Black sealant
Marino's Seal Coating	\$950. Black sealant
It's Show Time Sealcoating	\$800. Black sealant

The three companies that did not line, did know of a company that could do it. It would cost about \$300-\$400 to line both courts. **Mrs. Sutton made a motion and seconded by Mr. Carr to accept the quotes and to accept the proposal for \$800 from It's Show Time Sealcoating to seal the tennis and basketball courts. All were in favor.**

Al Schmidt read the Building Inspectors report. They issued 47 building permits and 9 violations. Mr. Schmidt thanked the residents in Oak Hill on their property clean up. Mr. Schmidt asked if the Board would go into Executive Session to discuss a potential contractual problem. **Mr. Carr made a motion to go into Executive Session at 7:46 and seconded by Mrs. Sutton. The meeting was called back to order at 8:02.**

Gordon Bennett passed out a 2003 Assessment Comparison Analysis sheet for review. Gordon explained that he had mailed out change of assessments on May 13. He further explained how the change of assessments were made. The change was 7% vacant land and farms, 8% to residential properties. Grievance Day is May 29 from 1pm to 4pm and 6pm to 9pm.

The police Report was filed. They handled 29 complaints and a couple of arrests.

Charlie Soderblom read the tax collector report. \$600,000 was paid to the Greene County Treasurer. The total amount still due is \$445,142.56.

The Task Force Report was read by Jim Cullie. Their last meeting was April 28. They decided to place American Flags on Rt. 145 in East Durham and flower boxes around the area by Memorial Day. The Durham Library Committee meet and approved a budget to be presented to the Cairo Library Board of Directors. Upon approval they plan to open in early June. The budget is short approximately \$2,500. The committee plans to start fundraisers and solicit residents and businesses for contributions. The next meeting is scheduled for June 9 at 7:30 PM at the East Durham Firehouse. Mr. Cullie explained the budget for the library. The total projected budget is \$7,276. Salaries or administrative costs can not be taken from fundraising. Mr. Young commented that \$5,000 had been budgeted for the library. Mr. Young asked when the library would need money from the town. Mr. Cullie said that as soon as the library was up and running they would need to pay salaries and administrative costs. Mr. Fried agreed with Mr. Carr that the library was an asset to the town and certainly more important than tennis courts.

The subdivision for Derek S. Stewart was discussed. A copy of his deed showed that his property had been subdivided prior to May 31, 1974 prior to the Building Ordinance of June 1, 1974. A Certificate of Variance was signed.

The subdivision for Podgurski was discussed. The adjoining properties had been notified. **Mr. Hulbert made a motion to open the public hearing for Podgurski and seconded by Mr. Elpel. Mr. Carr made a motion to approve the subdivision and seconded by Mrs. Sutton. All were in favor. Mr. Hulbert made a motion to close the public hearing and Mr. Carr seconded the motion.**

Kevin Maldonado spoke on the plans for his property. He is in the processing of building a performing arts center, which will draw festivals of various venues. They have been doing extensive development of the land over the last few months including a viewing area, grass parking areas and a 20-acre lake. He invited everyone to stop by and look at what is taking place. He and his investors anticipate that this will be of great economic benefit to the area resorts and businesses. Currently between 30 to 40 individuals are employed by this project. They are pursuing grant money to help

fund this project. He welcomed comments and suggestions from the community. Mr. Carr commented that as a board they welcome the project but must balance it with the legitimate concerns, as a municipality that the basic services required to support these types of events will not end up a huge financial encumbrance to the town. Mr. Carr further explained that they would like to discuss the situation with the town attorney to ensure that the town has been appropriately diligent. Mr. Maldonado explained that it is his intention to cooperate with the town board and other government agencies involved in the project.

The first event is a Folk Art Festival two weeks from now with between two and three thousand people expected.

Legislature Ohm presented the outcome of the settlement reached between the Athens Generating Plant and Greene County. In lieu of property taxes, the plant will make yearly payments to the town, county, and school district for twenty years. The payment plan is as follows: construction year one \$250,000, construction year two \$750,000; years one to five total \$2,750,000, years six to ten \$3,900,000, years eleven through fifteen \$4,500,000, year sixteen to twenty \$4,750,000. That is a total payment over twenty years \$80,500,000. The payments are allocated as follows: Town of Athens 11.083%, Catskill School District 70.44%, and Greene County will receive 18.47%. There is an additional stipulation that a one or one and a half percent of power generated be given to the town as supplementary payments.

The board received a letter from John and Trudy Boyle regarding a septic tank violation they received on May 1, 2003. They received a violation from the Code Enforcement officer for raw sewage. Per the request, they had their tank pumped and once it was pumped, the water was still present. Upon further investigation, it is believed that the water in question is from a town drain and not their septic. Mr. Schmidt explained that the violation was written when he and Mr. Pierce of the Department of Health were following up on the rodent situation in Oak Hill. There was an obvious sewage odor and visible ground sewage. He had asked the owners to contact him once the tank was pumped and he would return to investigate the situation. He was not notified that this has been done; he agreed to meet with the owners at 7:30 am the following morning to determine the next course of action. The decision regarding reimbursing Mr. & Mrs. Boyle for the pumping of the tank was tabled until Mr. Schmidt reports his findings to the board. It was added that once the tank was pumped it was discovered that the pump on the septic system needed to be replaced.

Mr. Young stated that Mr. Farrell, the Greene County Emergency Coordinator, would like to meet with the board, and the emergency preparedness committee. A meeting was set for June 5<sup>th</sup> at 7:00 p.m. Mr. Jennings explained his concern over why the roads that were complete could not be posted, why is it that we need to wait until the entire town is completed to start posting the signs.

Mrs. Maxwell requested the town look into putting children at play signs on each end of County Route 22. It was also pointed out that the speed on County Route 22 is 40 mph, and on State Route 81, it is 35 mph. Mr. Young stated that between himself and Mr. Moore they would look into both issues and see what could be done.

Mr. Kurtz from Old Plank Road also addressed the board regarding the speed enforcement on Old Plank Road. According to the State Police, the road is not properly signed enabling those who are ticketed to beat the ticket. Mr. Moore agreed to process the paper work to correct this situation.

There was nothing to report from the grant committee.

To date no action has been taken regarding the appointment of a new health officer.

Mrs. Sutton asked if Mrs. Moore would be staying in her position. Mrs. Moore responded yes she would as things have improved.

**Mrs. Sutton made the motion seconded by Mr. Hulbert with all in favor to approve the following transfers:**

From:	A1990.400	Contingent	\$1742.68
To:	A1910.400	Insurance Allocation	\$1742.68
From:	A1990.400	Contingent	\$840.00
To:	A4010.400	Health Office-Contractual	\$840.00
From:		Highway Surplus	\$600.00
To:	DA5130.200	Highway Equipment	\$600.00

Abstract #309, consisting of Vouchers #379 through #457 in the amount of \$92,402.04 was reviewed and approved for payment. The total amount was broken down as follows:

General Funds	\$52,479.19
Highway Funds	\$39,383.75
Street Lighting	\$ 539.10

Mrs. Sutton made a motion seconded by Mr. Elpel to adjourn the meeting at 9:39 p.m.

Minutes approved:

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Charles G. Soderblom, Clerk