

Minutes of the Meeting of the Town Board of the Town of Durham held January 18, 2005 at the Town Building in Oak Hill, N.Y.

Present: Robert Elpel - Councilman
 Jodi Wood- Councilwoman
 Linda Sutton – Councilwoman
 William Carr – Councilman

Absent: Gary Hulbert – Supervisor

Recording Secretary: Chris Kohrs - Deputy Town Clerk
 Others Present: Wesley Moore – Highway Superintendent
 Tal Rappleyea – Attorney
 Charles Soderblom – Town Clerk

The Deputy Supervisor called the meeting to order with the Pledge to the Flag at 7:30 PM. Twenty-two people were present.

Mr. Elpel made a motion and seconded by Mrs. Sutton to approve the minutes of December 7 and December 21. All were in favor.

Wesley Moore read the Highway Superintendents Report for December. The last few weeks have been busy with the snow removal. They have used almost 1800 tons of sand and salt and 4200 gallons of liquid calcium. They have started hauling in more snow sand from Carver and Carver is hauling for us. American Salt is delivering salt today.

Mr. Hulbert read the Building Inspectors Report. They have issued two certificates of occupancy, one violation, and three building permits.

The Judges Report was filed.

The Police Report was filed.

Attorney Tal Rappleyea reported on the Cimino action. The trial date is Wednesday the 26 in Town Court. Tal was served today with an Article 78, an appeal of the board's decision denying his stand that the trailer court is in compliance due to its grandfathered status. Tal advised the board to continue with the scheduled hearing and added that the Supreme Court decision may effect the final decision.

Tal also reported that he has the understanding that an application has been made to have a council appointed for the sale of the Termain property.

Tal reviewed the purpose of a Site Plan Law emphasizing that the purpose of the law is to make the town the lead agency in projects other than one or two family residential homes.

The law is an assurance that whatever is happening is been done with concern for the environment and neighbors to the project. If all parts of the law are met, the project cannot be denied. When the law is drafted, the board will have the opportunity to structure the language to be as specific as they need and can live with.

Mr. Hulbert read the Dog Control Officer's report.

Charlie Soderblom reported that the Tax Collector has collected \$452,251.56 year to date. The total tax warrant is \$2, 811707.14 with 2,278 bills.

Mr. Hulbert read correspondence received from the Durham Chamber of Commerce and The Town of Durham Historic Preservation Commission. No meetings were held in January. The Chamber will meet on February 28, at 7:30 p.m. at the East Durham Fire House. The Commission will meet February 12, at 9:00 a.m. at the Town building.

Mr. Hulbert made the motion to close the regular meeting and open a public hearing for the Van Fleet subdivision at 7:45 p.m. As the public hearing was not advertised, it could not be held and was rescheduled for February 1, 2005. The regular meeting reconvened at 7:47 p.m.

The board also scheduled a public hearing on February 1, for adoption of a resolution for Senior Exemption.

The board discussed the ramifications of a Site Plan Review Law. It was explained that the Law would not have additional power over the building permit process. It gives the town advance notice and ability to review any unusual project proposed within the town. A building permit is not necessary until a structure is ready to be built. If an applicant meets all the criteria outlined in the Site Plan Review Law the board cannot refuse the project or to issue a building permit. Additional discussion followed. Copies of the Plan adopted in Jewett were handed out to the audience. The board will revisit the topic in February.

Mr. Hulbert announced that the town had received information from Mary O. Donohue's office regarding a grant opportunity. Frazier could write the grant requesting funding for designing and planning for a sidewalk and lighting project for the village of East Durham. Discussion followed. **Mr. Carr made the motion seconded by Mr. Elpel to authorized Frazier Associates to write the grant on behalf of the Town of Durham. All were in favor and the motion carried.**

The board attempted to review the books of the court; as the receipt book was absence the board asked that the books be reviewed next month when all the information is together.

The board reviewed the Town Clerk's books and found everything in order.

Mr. Elpel made the motion seconded by Ms. Wood to approve the following transfers:

From:	A1990.400 Contingent	\$
To:	A1110.400 Court Contractual	18.06
From:	A1990.400 Contingent	\$
To:	A1420.400 Law Contract	1,520.00
From:	A1680.404 Computer Contract	\$
To:	A1680.204 Computer, Equipment	430.00
From:	A3620.200 Safety, Equipment	\$
To:	A3620.400 Safety, Contract	100.00
From:	A5132.207 Building, Capital	\$
To:	A5132.400 Building, Contractual	200.00
From:	A1990.400 Contingent	\$
To:	A7410.400 Library, Contractual	838.00
From:	DA5140.150 Brush Per Ser	\$
To:	DA5130.400 Machinery Contractual	4,170.00
	DA5142.400 Snow Contractual	\$
		670.00
		\$
		3,500.00

The board discussed the sliding formula used for senior exemption and it was decided that if we adopt the resolution to allow the exemption to 5% that we should disallow medical deductions.

Mr. Hulbert told the board that Warren Hart of the office of Greene County Planning and Development has offered to write a grant to the Greenway requesting funding to hire a consultant to assist in planning and developing a Comprehensive Plan for the Town of Durham. Ms. Wood made a motion seconded by Mr. Carr to adopt a resolution to allow the office of Planning and Development to write a grant to the Greenway. All were in favor and the motion carried.

The board reviewed and signed the service contracts with Town of Durham Rescue Squad, East Durham Vol. Fire Co., and Oak-Hill Durham Vol. Fire Co.

Mr. Hulbert reminded the board that they needed to set a date for the tabletop exercise in March.

Abstract #425, consisting of 2004 Vouchers #1040 through #1074 for \$14,795.18 was reviewed and approved for payment. The total was broken down as follows:

General Funds	\$6,794.19
Highway Funds	\$8,000.99

Abstract #501, consisting of 2005 Vouchers #101 through #137 for \$80,574.20 was reviewed and approved for payment. The total was broken down as follows:

General Funds	\$36,804.29
Highway Funds	\$43,238.62
Street Lighting	\$531.29

Ms. Wood made the motion seconded by Mrs. Sutton to adjourn at 9:40 p.m.

Minutes approved:

Chris Kohrs, Deputy Town Clerk