

Minutes of the Meeting of the Town Board of the Town of Durham held May 3, 2005 at the Town Building in Oak Hill, N.Y.

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

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

The Supervisor called the meeting to order with the Pledge to the Flag at 7:33 PM. Twenty-one people were present.

The board reviewed a subdivision proposal from James Tremble. He would like to reappportion the land of 48.02-1-26 and add to lots 48.02-1-11 and 48.02-1-10. Mr. Tremble will have the parcels surveyed and new maps drawn showing the proposed property lines. A variance will be needed for the two small parcels, which still will not comply with building codes, but will be closer than they currently are.

At 7:42 p.m., Mr. Hulbert moved to close the regular work session and open the public hearing for the Molter subdivision. There was no comment from the public. Mr. Hulbert moved to close the public hearing and open the regular scheduled work session at 7:48 p.m. **Mr. Carr made the motion seconded by Mrs. Sutton to approve the subdivision of Molter. All were in favor and the motion carried.**

Mr. Ohm reported from the County Legislature on the finances of the county. The fund balance closed at 10.65 million for 2004, which was up from 8.86 million in 2003. Some of the carry over in the fund balance will be used to reimburse the towns and school districts for uncollected taxes. The sales tax revenues are doing very well for the county and should continue once Wal-Mart opens. The county has proposed to hold the 2006 tax rate at the same level as 2004. Wal-Mart has not given a target date for opening and there are a few legal issues still to be worked out.

The board reviewed the following subdivisions:

Nelson/Hull: State RT 145 divides the property and they would like to subdivide it into two parcels with the highway as the property line. The property will need a new survey and a public hearing was scheduled for June 7, 2005 at 7:30 p.m.

Darling: Has forty-two acres and he would like to take a small section and sell to his neighbor. A survey will be necessary and the subdivided parcel will need to be merged into an existing parcel, as it will not be a conforming parcel on its own.

At 8:00 p.m., Mr. Hulbert moved to close the regular workshop and open the public hearing for the Site Plan Review Law. A discussion on the wording of the topographic contours measurement took place. The board decided to leave the wording as proposed. Another question raised was how would Article IV item i on page 3 be

enforced as it pertains to noise.

Mr. Hulbert called for a roll call vote on the Site Plan Review Law.

Ms. Wood	No
Mr. Carr	Yes
Mr. Elpel	Yes
Mrs. Sutton	Yes
Mr. Hulbert	Yes

The Site Plan Review Law passed 4 to 1. The law will take effect as soon as it is filed with the state, which should be by the end of next week. Mr. Hulbert closed the public hearing at 8:05 p.m.

Ms. Wood made the motion seconded by Mr. Elpel to approve the fireworks provided by Telstar Display Fireworks of Auburn, NY, for the Fourth of July Celebration to be held on July 2, 2005. All were in favor and the motion carried.

Mr. Carr made the motion seconded by Mrs. Sutton to enter into a contract with the Greene County Council of the Arts Sprouts program to provided service in accordance with our Youth Program for \$275.00. All were in favor and the motion carried.

Wes Moore addressed the board to ask permission to transfer funds from the CHIPS fund into the highway fund as needed. Due to the storm damage this spring, most of the road funds have been exhausted. Some funds will be reimbursed from FEMA later in the year. **Mr. Carr made the motion seconded by Ms. Wood to authorize the Highway Superintendent to transfer funds into road repairs as needed. All were in favor motion carried.** Wes told the board that he is getting bids for in place paving for Sunside Road. With the rising cost of fuel and products, it is cheaper to have someone else do the project than for the Town Highway Department do the job.

Wes has also spoken the FEMA representatives and there may be funds to help offset the cost of preserving the Stone Arch Bridge in Cornwallville. Currently the bridge is closed because it has become unstable. If funds can be obtained to preserve what is remaining we may be able to create a structure that would pass over the bridge without having to be supported by it. Wes will keep us informed.

Sergeant Sutton explain that he as received a resignation from Deputy Steve DeWitt, a ten year employee who as moved from the area and requested that the board appoint Nathan Van Fleet as Deputy in his place. Ms. Wood made the motion to appoint Nathan Van Fleet Deputy police office for the Town of Durham seconded by Mr. Elpel. All were in favor and the motion carried.

Ms. Wood motioned to adjourn at 8:15 p.m. seconded by Mrs. Sutton.

Minutes approved:

Chris Kohrs, Deputy Town Clerk