

Minutes of the Meeting of the Town Board of the Town of Durham held September 6, 2005 at the Town Building in Oak Hill, N.Y.

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

Recording Secretary: Chris Kohrs - Deputy Town Clerk
Others Present: Tal Rappleyea – Town Attorney
Wesley Moore – Supervisor
Cindy Moore – Bookkeeper

The Supervisor called the meeting to order at 7:32 PM with the Pledge to the Flag. 13 People were present.

Mr. Hulbert closed the work session and opened the public hearing for the Darling subdivision at 7:32 p.m. The board reviewed the survey and as there were no comments from the audience, Mr. Hulbert closed the public hearing at 7:35 p.m. **Ms. Wood made the motion seconded by Mr. Carr to approve the Darling Subdivision all were in favor and the motion carried.**

Mr. Hulbert closed the work session and opened the public hearing for the Cuomo subdivision at 7:37 p.m. The board reviewed the survey and as there were no comments from the audience, Mr. Hulbert closed the public hearing at 7:40 p.m. **Mr. Carr made the motion seconded by Mr. Elpel to approve the Cuomo Subdivision all were in favor and the motion carried.**

Mr. Hulbert introduced Reay Mahler representing the Greene County EMS (GCEMS). Mr. Mahler explained that the Town of Catskill is looking to pull out of the GCEMS program. Should this happen it would result in a financial blow to the entire program.

The Catskill and Coxsackie cars are profitable, the Cairo car breaks even, and the Mountain Top car loses money. If Catskill leaves the program, the rest of the towns would have to share a bigger portion of the operating expense. The GCEMS will meet with Catskill to explain the effect of their actions on the county and on their town. It is believed that though they may operate at a minimal cost savings the actual level of service provided to their residents would be significantly reduced. The investment needed to mirror the current level of service provided by the GCEMS would be extensive.

The GCEMS will also meet with the County Legislature to encourage their participation in the GCEMS program. Currently the county does not directly provide financial funding

to the GCEMS. As the GCEMS provides a service for the benefit of the entire county it would be beneficial to all if the Legislature could assist the program financially. Mr. Mahler explained that the GCEMS receives funding from the Rural Health Network and the funding is meant to provide temporary assistance. The funding from the Rural Health Network is decreased each year and will eventually be non-existent. The projected contract expense for the Town of Durham for 2006 is \$29,732.

Mr. Mahler also gave a brief update on the Town of Durham Volunteer Ambulance Squad. Financially the squad is doing very well. Staffing is a concern. They have turned over approximately 20+ calls to other towns. The primary loss of coverage is during the day. The average bill to the patient is between \$800 and \$900 every time a call is turned over that money is lost to our squad, this is a problem in most towns. Volunteers are difficult to come by and the investment of time and money to be trained is extensive.

September 8th begins an EMT course that will run for six months two nights a week. The squad picks up the cost for the course it does not reimburse for time in training or the gas.

Mrs. Sutton asked what the billing procedure was for residents. Mr. Mahler explained that all patients receive a bill. If the patient is unable to pay the balance, remaining after the insurance has paid, the patient would need to send a letter to the Durham Ambulance Squad explaining this, and the bill would be excused. Mrs. Sutton has found that many are not aware of this practice and is concerned that the elderly especially do not know this policy. She requested that the squad examine the billing practice and see if it would be possible to contact the patients and inform them of the squad billing policy. Mr. Mahler explained that he is not involved with the billing and the board should speak with Rick Vanderbeck.

The board reviewed a proposed amendment to the Subdivision Law. The following recommendations were made and a public hearing scheduled for October 4, 2005 at 7:30 p.m.

The next item considered was an amendment to the subdivision law.

Local Law No. 3 of the year 2005

Amending the land subdivision law of the Town of Durham

Be it enacted by the Town Board of the Town of Durham as follows:

Local Law 1 of 2000, entitled Land Subdivision Law shall be and is hereby amended as follows:

1. **Section 3, Definitions, shall be amended to include “Plat: Means a small piece of ground; a map or plan of a piece of land subdivided into building lots; to make a map or plan or.”**

2. **Section 4.a.3. Simple Subdivisions shall be amended to read as follows**
“The sub divider shall submit to the Town Clerk One (1) mylar and six (6) prints of the final plat.” The first sentence of such section shall be and hereby is repealed.

3. **Section 4.b. (6) Minor Subdivisions shall be amended to read as follows:**
“The sub divider shall, within seven (7) days following the notification of approval of the final plat, submit to the Town Board One Mylar and six (6) prints of the final plat.”

This local law shall become effective upon adoption and in accordance with the New York State Municipal Home Rule Law.

A Public Hearing on the law was scheduled for October 4, 2005

Mr. Hulbert asked the board to re-approve the signing of the Hull/Nelson subdivision. The subdivision was brought before the board and approved in June; however, they did not have copies of the survey and Mylar for filing. It was explained that Mr. Hulbert could stamp the survey approved once it was brought in. August 2nd they returned to have the survey stamped but due to a lack of a quorum, no meeting was held. On August 22, Mr. Hulbert stamped the survey approved for filing. For formality, reasons Mr. Hulbert asked for a motion to approve the Hull/Nelson subdivision. **Ms. Wood made the motion seconded by Mrs. Sutton to approve the Hull/Nelson subdivision. All were in favor and the motion carried.**

Resolution to Reduce Speed Limit on Mackey Road

Mrs. Sutton offered the following resolution and moved its adoption:

WHEREAS, the Durham Town Board has considered the matter of a speed limit on Mackey Road, a Town road, at the request of a person who lives on the road and feels that the current speed limit of 55 MPH is too fast for this road,

NOW THEREFORE, BE IT RESOLVED, that the Durham Town Board hereby requests that the New York State Department of Transportation reduce the allowable speed limit on the road.

Mr. Carr seconded the motion.

Voting was as follows:

Carr	Yes
Elpel	Yes
Hulbert	Yes

Sutton	Yes
Wood	Yes

Ayes 5, Noes 0 , Absent 0.

The motion carried.

Mr. Hulbert informed the board that the town did not receive grant funding from the Quality Communities Grant program. We were informed that more requests were received than funding available. We will try again next round.

Mrs. Sutton asked if a date had been set for the next public input session for the comprehensive plan. Mr. Hulbert will contact Mrs. Stolzenburg and schedule a session when the results of the survey are compiled. It was suggested that the next meeting be held on a Saturday to allow for more public comment.

Mr. Moore explained that FEMA did not approve funding to hire an engineer for the Stone Arch Bridge project in Cornwallville. As the cost to repair or restore the bridge is, too cost prohibitive for the town the bridge will remain closed indefinitely.

It was suggested that the Durham Historical Commission adopt the site as a Historical landmark, which may open up other grant funding to aid in the repair/restoration of the bridge.

Mr. Rappleyea updated the Board on the Fabbri House. It has been confirmed that Rudy Fabbri is the executor of the property. The special council hired by the town in Catskill is not willing to travel to White Plains to pursue the matter. We would need to secure council in White Plains if we wanted to continue. Mr. Rappleyea will check into the cost of this. The decision to have the property demolished is separate from the legal council representative. It is up to the town to decide if they want to continue the legal search or the demolition.

The bids for the demolition will be opened on Friday September 16, 2005 at 7:30 p.m.

At 8:25 p.m., Mr. Hulbert made the motion seconded by Mr. Carr to close the work session to enter into executive session to discuss a personnel issue. Mr. Hulbert called the work session back to order at 9:00 p.m.

The board discussed the repairs to the entranceway and town office incurred during burglary. Many options were discussed, no decisions were made, and estimates will be pursued for new doors and alarm system.

Ms. Wood made the motion to adjourn seconded by Mr. Elpel at 9:17 p.m.

Minutes approved:

_____ Chris Kohrs, Deputy Town Clerk