

Minutes of the Meeting of the Town Board of the Town of Durham held October 4, 2005 at the Town Building in Oak Hill, NY.

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

Recording Secretary: Chris Kohrs – Deputy Town Clerk  
Others: Tal Rappleyea – Attorney  
Wes Moore - Highway Superintendent

The Supervisor called the meeting to order with the Pledge to the Flag at 7:30 P.M. Twenty-four people were present.

Mrs. DaVanzo brought before the board a minor subdivision. The board reviewed the drawing and scheduled a public hearing for November 1 at 7:30 pm.

The regular workshop was closed and the Public Hearing for James Hardin subdivision opened at 7:35 pm. Mr. Hulbert, representing the Hardin's, explained that Mr. Hardin is subdividing 9.14 acres from parcel 50.00-4-47 to Barbara Beers. This would create two parcels one at 9.14 acres and one at 1.521 acres. There were no comments. **Mr. Elpel made a motion to approve the Hardin Subdivision and Mrs. Sutton seconded it. All were in favor and the motion passed.** Mr. Hulbert abstained from voting as he was representing the Hardin's. The Public Hearing closed at 7:40 pm.

The public hearing opened on the Subdivision Law Change at 7:40 pm. Supervisor Hulbert read local Law #3 of 2005.

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. Such plat shall be prepared by a licensed surveyor or engineer.”  
The first sentence of such section shall be and hereby is repealed.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. Such plat shall be prepared by a licensed surveyor or engineer.”

This local law shall become effective upon adoption and in accordance with the New York State Municipal Home Rule Law. **Mrs. Sutton made a motion seconded by Mr. Elpel to approve the revisions to Local Law #3 of 2005. All were in favor and the motion carried.** The public hearing closed at 7:44 pm.

Mr. Sager presented a proposed subdivision. Mr. Sager would like to subdivide property on Allen Teator Road with a 50’ right-of-way to the back property. Attorney Rappleyea advised Mr. Sager to deed the 50’ passage to the property in lieu of the right-of-way. Mr. Rappleyea also asked that when the survey is completed that it show the well and septic already on the property.

The emergency services for the Town of Durham presented their budgets for 2006:

Oak-Hill Durham Vol. Fire Company - received \$75,000 in 2005 asked for \$79,400 for 2006.

East Durham Vol. Fire Company – received \$83,000 in 2005 asked for \$85,400 for 2006.

Town of Durham Rescue Squad – received \$30,000 in 2005 asked for \$30,000 for 2006.

Mr. Hulbert gave the board a packet from Nan Stolzenberg with the results of the summer survey. The Durham Elementary School was unable to accommodate us on October 22 from 9 to noon for the Public Workshop and focus group. Mr. Hulbert will contact the East Durham Fire company about using their hall for the East Durham and Cornwallville session. The Oak Hill and Durham session will be held at the Town Hall. Ms. Stolzenberg will make the necessary notices and contacts.

The board discussed the communication received from Frazier Associates regarding the Quality Communities Grant being available once again. If we would like to resubmit the original grant, we would need to obtain new letters of support. Frazier Associates quoted a cost of \$6-700 if we would like them to submit the grant on our behalf. Ms. Wood asked if this would be something that we could submit on our own, as we would just be updating the cover letters and submitting the original grant itself, thus saving us money. Discussion followed, Mr. Hulbert will provide the board with a copy of the grant previously submitted.

The board scheduled a budget workshop for October 11 at 7:30 p.m.

Attorney Rappleyea informed the board that the Fabbri House has been sold and that repairs have begun. The Historical Commission has forwarded the application for Certificate of Appropriateness to the Department of Parks and Recreation for advice on its approval.

Otto Suwara presented the board with a proposed boundary change/minor subdivision. He has two parcels of property one of which wraps around the other in the shape of a “u” both of which have existing homes. He is proposing dividing the two properties with a straight line running from the back of the parcels to the road. Attorney Rappleyea advised Mr. Suwara to have the property surveyed, as he would like to see them divided. An application for a minor subdivision would be necessary from both landowners.

Bernadette Gavin and Alanna McKiernan asked the board if the Durham Task Force had a 503C-non profit status. It is their intent to become active with the Task Force and to seek funding for the enhancement of the Town of Durham. They would like to work together with the town on securing funding for projects such as sidewalks etc. Discussion followed with suggestions of individuals for the women to contact for additional information. The board welcomed their eagerness and looks forward to their involvement in community projects.

Dr. Goldstein announced an Emergency Preparedness Table Top exercise for December 1 at 7:30 p.m. Mr. Hulbert will make the necessary contacts.

East Durham Vol. Fire Co is continuing to place 911 signs, no completion date was offered.

The question was asked how a new residence obtains a 911 number. Mr. Hulbert has contacted the 911 office requesting applications to be given when building permits are issued by the Code Enforcement Department. He has not received a response; he will contact them again.

**Ms. Wood made the motion seconded by Mrs. Sutton to adjourn at 8:47 p.m.**

Minutes approved:

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Chris Kohrs, Deputy Town Clerk