

Minutes of a regular meeting of the Town Board of the Town of Durham held February 6, 2007, at the Town Building in Oak Hill, NY.

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

Absent: William Carr – Councilman

Secretary: Chris Kohrs – Deputy Town Clerk

Others Present: Tal Rappleyea – Town Attorney
 Charles Soderblom – Town Clerk

Supervisor Hulbert called the meeting to order at 7:34. There were 22 people present.

The new owners of the Fern Cliff Resort provided refreshments for everyone and explained their intent for the resort. They will be opening a sleep away camp, which will run for eight weeks during the summer. The camp will remain on the tax roll. Camp participants will be looking for community service opportunities.

The board approved the request from the Cairo-Durham Athletic Director requesting the use of the Patrick Kellegher Field for the 2007 season.

Proof of notice having been furnished, the Public Hearing on the Senior Exemption was called to order at 7:42 p.m. It was proposed by the assessor to adopt the sliding scale of \$18,000 (50% exemption) to \$26,399.99 (5% exemption) to reflect the cost of living increase and mirror the action taken by the County Legislature. There were no comments from the public. All persons desiring to be heard, having been heard, the hearing was terminated at 7:45 p.m.

Ms. Wood made the motion adopt a resolution to adopt the Senior Exemption (Local Law # 1 Of 2007) with the sliding scale of \$18,000 (50%) to \$26,399.99 (5%) seconded by Mrs. Sutton. All were in favor motion carried. (Absent: Carr)

Wood	Aye
Carr	Absent
Elpel	Aye
Sutton	Aye
Hulbert	Aye

Proof of notice having been furnished, the Public Hearing on the Goldstar Parent Exemption was called to order at 7:46 p.m. It was proposed to adopt a property tax exemption for parents of military veterans in active service during wartime. The exemption would be 15% not to exceed \$18,000. In addition, those whose children were active service members killed in the line of duty; the exemption would be 25% not to

exceed \$30,000. There were no comments from the public. All persons desiring to be heard, having been heard, the hearing was terminated at 7:48 p.m.

Mrs. Sutton made the motion to adopt a resolution for the Gold Star Parent Exemption (Local Law # 2 of 2007), seconded by Mr. Elpel. All were in favor the motion carried. (Absent: Carr)

Wood	Aye
Carr	Absent
Elpel	Aye
Sutton	Aye
Hulbert	Aye

Proof of notice having been furnished, the Public Hearing on the Persons with Disabilities and Limited Incomes Exemption was called to order at 7:49 p.m. To qualify, persons with disabilities generally must have certain documented evidence of their disability and meet certain income limitations and other requirements. If the property is receiving an exemption under the low-income senior citizens exemption, it cannot also receive an exemption under this law for the same municipal tax purpose. If the property qualifies for this exemption, it can receive other exemptions such as those for School Tax Relief and veterans. If adopted it would have the same sliding scale as the senior exemption \$18,000 (50%) to \$26,399.99 (5%). The income for the applicant is based on the income of the household as a whole not the individual alone.

The following person(s) spoke in favor of adopting the exemption:

Mr. Gress
Mr. Bennett

The following person(s) spoke against adopting the exemption:

None

All persons desiring to be heard, having been heard, the hearing was terminated at 7:48 p.m.

Ms. Wood made the motion to adopt the Persons with Disabilities and Limited Incomes Exemption (Local Law # 3 of 2007) with a sliding scale of \$18,000 (50%) to \$26,399.99 (5%), seconded by Mrs. Sutton. All were in favor motion carried. (Absent: Carr)

Wood	Aye
Carr	Absent
Elpel	Aye
Sutton	Aye

Hulbert Aye

The board reviewed a proposed minor subdivision for Richard Shippee of 1811 County Route 20 (49.00-6-7.1). He would like to divide his 6.5 acres into two parcels 1 – approximately 1-3/4 to 2 acres and the 1 – 4-3/4 acres. Each parcel would meet the minimum road frontage and boundary set backs. Mr. Shippee will come to the next workshop with the appropriate surveys for the board to review. No action was taken at this time.

The board reviewed the application for subdivision for Finbar O’Neill and Paula O’Neill of Kennedy Lane (22.00-4-9). They would like to divide their 8.591-acre lot into two parcels 1 – 6.591 acres and 1- 2 acres. Each parcel would meet the minimum road frontage and boundary set backs. Received a note designating Paul Tillmann of Santo Associates as their authorized representative for this matter. Supervisor Hulbert will contact the owner regarding the next step in this process.

The Michael J. Quill Irish Cultural and Sports Center (MJQICSC) submitted a Site Plan Review (SPR) Application for the Becker Site. They would like to lease part of the building as cold storage for a local furniture retail outlet. Code Enforcement Officer Schmidt provided them with a list of items, which still need to be addressed before the SPR could be approved.

The board reviewed the and finalized the paper work for the Federal Byways and Scenic Highway Grant.

Mrs. Sutton made the motion to adopt the resolution to proceed with the project and authorized Supervisor Hulbert to sign the contract, seconded by Ms. Wood. All were in favor the motion carried. (Absent: Carr)

Ms. Wood made the motion seconded by Mrs. Sutton to accept the Long Form SECQOR application. All were in favor the motion carried. (Absent: Carr)

Ms. Wood made the motion to accept the Negative Declaration, seconded by Mrs. Sutton. All were in favor motion carried. (Absent: Carr)

The board received a Mass Gathering Application from the MJQICSC for their annual Memorial Day Irish Festival. No action was taken.

Attorney Rappleyea informed the board of recent legislation, which requires board members to receive a minimum of four hours of training per year.

Mr. Elpel made the motion to approve a three hour training for Code Enforcement Office Schmidt, seconded by Ms. Wood. All were in favor motion carried. (Absent: Carr)

The county notified the town that new voting machines would not be in place this year.

Nick Nahaus updated the board that three stone arch bridges in the Town of Durham have been submitted to the NYS Parks and Commission for historic designation, Allan Teator Road, Hervey Street, Shady Glen. There are five additional bridges, which will be submitted later.

A resident requested that the board adopt the East Durham Main Street Project Final Report.

Mr. Elpel asked for an update on the application for the town to adopt Durham Woods Road. Supervisor Hulbert reported that Highway Superintendent Moore has declined to accept the road as it was not constructed or inspected as is outlined in the specs. Attorney Rappleyea as spoken with their attorney and is waiting for a reply.

Ms. Wood made the motion, seconded by Mrs. Sutton, to the meeting adjourned at 8:47 P.M.

Minutes approved:

Chris Kohrs, Deputy Town Clerk