

Minutes of a regular meeting of the Town Board of the Town of Durham held February 20, 2007, at the Town Building in Oak Hill, NY.

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

**Secretary:** Chris Kohrs – Deputy Town Clerk

**Others Present:** Tal Rappleyea – Town Attorney  
 Wes Moore – Highway Superintendent  
 Charles Soderblom – Town Clerk

Supervisor Hulbert called the meeting to order at 7:30. There were 21 people present.

**Ms. Wood motioned to accept the minutes of January 2 and January 16 and seconded by Mr. Elpel. All were in favor motion carried.**

Mr. Hulbert received correspondence, based on 46 sales in the Town of Durham; our residential assessment ratio has dropped to 54.02%. He also received a letter from Senator Seward along with a copy of a letter from Ms. Gillibrand, in support of Mr. Frey who is applying for a \$2.2 million dollar grant from the federal government for the Rt. 145 corridor.

Greene County Legislator Sean Frey was absent.

Wesley Moore, Highway Superintendent, read his report. The men have been working on the summer equipment since there was a period of no snow. They have maintained the roads for the seven storms. The ice storm did use a lot of material. The Valentine's Day storm left between 24-28 inches of snow. They have used 1445 tons of sand and salt and 500 gallons of liquid deicer. He called in two retirees, Louie German and Mert Hulbert to help with the storm. There were five days of wind and the men ran 12-14 hour days.

David Cunningham read the Building Inspectors Report. They had two site plan reviews, one mobile home permit, five additions, one renewal, two Certificates of Occupancy and six Certificates of Compliance.

Mr. Hulbert read the Code Enforcement Report in the absence of Al Schmidt. There were no tickets or violations for the month of February.

The judges' report was received.

Mr. Sutton reported there were 23 complaints, 2 accidents, 2 - 911 calls and 1 criminal mischief.

Mr. Soderblom reported that 80% of the tax bills have been paid. There are 476 bills not paid. The town has received all of their money.

Mr. Hulbert reported that Attorney Rappleyea has completed the paperwork on the social security disabilities local law that will be filed with the state on February 21, 2007. In addition, the senior exemption local law will be filed and the Gold Star Parents exemption. The Maggio site plan review, their next step was to put up a \$5,000 escrow and then they need to submit the preliminary plans to the board. This is on Rt. 23 and 36 town houses have been planned.

The paperwork for transportation enhancement program has been completed. Attorney Rappleyea had the agreement between the Durham Valley Land Trust and the Town for the board to look over. The primary purpose for this is to insure that the town does not end up with any fees or costs associated with this. DVLT will pick up that matching portion of it. Dr. Goldstein described the project. DVLT is acquiring an easement on 100 acres on Susquehanna Turnpike that have some of the most spectacular views. The easement will keep the view intact forever. The grant is not to buy the land, but to protect the view into perpetuity.

Judge Lucente had surgery and shortly after had a stroke. His relatives have contacted the town and he will be unable to work for two to four months. Ms. Tirpak has been asked to cover for Mr. Lucente. She will pick up most of the work, but a neighboring town judge may need to be called in to cover. Mr. Carr asked that flowers be sent with the board members paying individually. The judges are elected and cannot be replaced unless they resign. The board could appoint an existing judge as our acting judge.

Supervisor Hulbert updated the board on the Site Plan Review for the Irish Cultural Center/Becker Site. They have not provided the town clerk with the necessary documents their application is on hold.

The board reviewed the minor subdivision application and plans for Mr. Shippee, 1811 County Route 20, (49.00-6-7.1). A public hearing is scheduled for March 6, 2007 at 7:30 p.m.

Supervisor Hulbert stated that he received a request from Bob Beyfus of Cornell Cooperative Extension to set up a meeting with the residents to discuss the upcoming tent caterpillar season.

Cornell Cooperative Extension is hosting a meeting Thursday, February 22, 2007, 7:00 p.m. at the East Durham Fire House to discuss Conservation Easements and selling development rights.

**Ms. Wood made the motion to approve the Mass Gathering Permit for the Irish Cultural Centers Annual Irish Festival on the condition that we are provided with a current certificate of insurance by May 1, 2007.**

The board received a copy of the resignation letter for Court Clerk Brett, presented to the judges on February 1, 2207 effective February 15, 2007. The judges are asking that Court Clerk Hull's hours be increased from 10 to 25 hours per week rather than hire an additional clerk. Discussion followed. **Mr. Carr made the motion to increase Court Clerk Hull's hours to 20 hours per week and to evaluate the need for additional hours at the next meeting, seconded by Ms. Wood. All were in favor the motion carried.**

Ms. Wood complimented Legislator Frey on a recent meeting he organized with Senator Seward and Congresswoman Gillibrand's Office as well as Warren Hart from Greene County Planning and Development, for the business owners in the Town of Durham. It was well attended and very informative. The discussion topics included loans available to small business, main street beautification and development.

Many commended the town and county highway departments with their diligence in keeping the roads passable during the snowstorm on February 14 and the following days. The town received between 24 and 28 inches of snow followed by heavy winds, which kept the highway crews busy with drifting for the next four days.

The committee for the Comprehensive Plan will meet March 5, 2007 at 7:30 p.m.

Town Clerk Soderblom asked the board to re-approve the resolution to have the State drop the speed limit of Cunningham Road from 55 as the original request was made in July and was not filed.

#### RESOLUTION REQUESTING A SPEED LIMIT REDUCTION ON CUNNINGHAM ROAD

Mr. Carr offered the following resolution and moved its adoption:

WHEREAS a complaint has been received concerning the speed of vehicles traveling on Cunningham Road in the Town of Durham, and

WHEREAS the Town Board of the Town of Durham is in agreement that the 55 MPH Speed Limit is excessive on said road because it is narrow and winding, THEREFORE

BE IT RESOLVED that the Town of Durham requests that the speed limit be reduced on Cunningham Road its full length.

Seconded by Mr. Elpel.

Ayes: 5 Carr, Elpel, Hulbert, Sutton, and Wood Noes: 0 Absent: 0

It was also suggested that the highway superintendent and the board review the town roads regarding speed limit and safety, to establish a priority schedule to modify.

Mr. Gress of Enchanted Valley Road addressed the board regarding dogs running loose on his road. The dogs are making a nuisance of themselves. He has complained to the dog control officer and the town police about the situation and yet it continues. He was advised to file a complaint with the dog control officer. Supervisor Hulbert will also follow-up and tickets could possibly be issued.

Mrs. Sutton motioned to approve the following transfers, seconded by Mr. Elpel.

<b>FROM:</b>	Highway Surplus	\$	48,000.00
<b>TO:</b>	DA5130.200 Machinery Equipment	\$	48,000.00

Abstract #702, consisting of 2007 Vouchers #129 through #141 for \$14,839.10 was reviewed and approved for payment. The total was broken down as follows:

General Funds	\$	400.62
Trust and Agency	\$	14,438.48

Abstract #703, consisting of 2007 Vouchers #142 through #196 for \$262,608.89 was reviewed and approved for payment. The total was broken down as follows:

General Funds	\$	49,740.41
Highway Funds	\$	38,504.09
Fire Protection	\$	173,744.00
Street Lighting	\$	620.39

**Ms Wood motioned to adjourn seconded by Mrs. Sutton at 8:55 p.m.**

**Minutes approved:**

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Chris Kohrs, Deputy Town Clerk