

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

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

Absent: Jodi Wood – Councilwoman

Secretary: Chris Kohrs – Deputy Town Clerk

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

Supervisor Hulbert called the meeting to order at 7:31. There were nineteen people present.

Joann Rascoe and Michelle DeCarlo spoke on behalf of Durham Community Planners. They would like to purchase twenty-five hanging baskets for main street East Durham. They have received two quotes the lowest being from the Carrot Barn in Schoharie for \$900.00 with brackets included. The baskets would hang from Furlong's to Darby's. Discussion followed. **Mrs. Sutton motioned to authorize spending \$900.00 for the hanging baskets in East Durham, seconded by Mr. Carr. Motion carried. (Sutton, Carr, Hulbert aye, Elpel abstained, Wood absent)**

Mrs. Rascoe asked about the status of the grant for new signs for East Durham. Supervisor Hulbert explained that he had been in contact with Alana McKiernan, the grant was due March 20, 2007 and would have needed to come before the town board at the last meeting, he was not authorized to sign without the board approval. He suggested that as the Durham Community Planners had a 401C3 status they might be able to apply for the grant themselves.

Supervisor Hulbert added that Assemblyman Lopez and Legislator Frey are each seeking funding for the Main Street Revitalization project.

Bob Beyfus with Cornell Cooperative Extension spoke to the board and residents regarding the threat of the Forest Tent Caterpillars this season. Part of the town received damage last season and should expect only slight damage again this season. The areas adjacent to Cornwallville, Oak Hill and East of State Route 145 should expect more defoliation as these areas were barely effect last season. He demonstrated how to identify the nest and techniques for managing the infestation. Typically, they have a two to four year cycle. The best time to destroy a nest once they have hatched is at nighttime when the caterpillars have returned to the nest. The forest tent caterpillars nests are more of a web of strings than a tent. The most effective, though costly method of control is

spraying either a biological liquid (which targets just the forest tent caterpillar) or a chemical such as Sevin, which is very effective and will kill other insects, which may be helpful to the environment.

Highway Superintendent Moore reported that the crew has been busy with five storms this month as well as minor nuisance events. The wind has forced the crew to work long hours to keep the roads clear. There are many frozen culvert pipes around the town. The county is aiding us in thawing them out.

Building Inspector Cunningham reported issuing permits for three alterations, one garage, one site plan review, three certificates of occupancy and two certificates of certification.

Code Enforcement Officer Schmidt reported having issued no tickets or violations for the month.

Sergeant Sutton reported twenty-three complaints and two arrests.

Attorney Rappleyea has completed and filed the following resolutions; 1) Establishing Income Levels Real Property Taxes for Senior Citizens, 2) Alternative Veterans Gold Star Parent Exemptions, 3) Establishing Disabled & Low Income Citizens Real Property Tax Exemptions. He has additional copies, which need to be signed and returned to the state. Greenville passed the resolution to approve Judge Rose assisting the Durham Town Court in the absence of Judge Lucente as is allowed in Justice Court Law 106. The Town of Durham would need to agree to reimburse Judge Rose for his expenses, salary and court costs. **Mr. Carr made the motion to adopt the following resolution:**

WHEREAS, the Town Board of the Town of Durham has determined that based upon the inability of one of its Town Justices to temporarily fulfill the duties of Town Justice, it is necessary to request that the Chief Administrative Judge, pursuant to Section 106 of the Uniform Justice Court Act, assign a Town Justice from an adjoining Town to cover the court duties in the Town of Durham during such period of inability and has agreed to pay all expenses in connection with such assignment, and

WHEREAS, the Town of Durham has requested and the Town of Greenville has approved that the Honorable Robert Rose, Justice of the Town of Greenville be assigned to the Town of Durham during such period, and

WHEREAS, the Honorable Robert Rose has consented to such appointment said pursuant to Section 158(2) of the Town Law, the Town Board of the Town of Durham.

NOW THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board of the Town of Durham hereby requests that the Chief Administrative Judge assign the Honorable Robert Rose to the Town of

Durham to cover such needed court services as are necessary during the period of time that one of the Town Justices of the Town of Durham is unable to do so.

SECONDED BY Mrs. Sutton

ROLL CALL:

Supervisor Gary Hulbert	AYE
Councilperson Jodi Wood	ABSENT
Councilperson Robert Elpel	AYE
Councilperson Linda Sutton	AYE
Councilperson William A. Carr, Jr.	AYE

Town Clerk/Collector Soderblom reported that 80% of the tax bills have been paid. The town has received its money and the county has been paid approximately \$500,000.00 year to date.

Due to the illness of Judge Lucente the following resolution was passed:

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

RESOLVED, The Town Board authorizes Supervisor Gary Hulbert to be a signer on Judge Lucente's account with Bank of America

Ms. Sutton seconded the motion.

Voting was as follows:

Supervisor Hulbert	Yes
Mrs. Sutton	Yes
Mr. Carr	Yes
Mr. Elpel	Yes
Ms. Wood	Absent

Supervisor Hulbert reported that Judge Lucente has suffered a set back and is currently at the Samaritan Hospital in Troy.

Mrs. Sutton motioned to approve the following transfers seconded Mr. Elpel. All were in favor the motion carried. (Absent: Wood)

From:	A1990.400	Contingent	417.00
To:	A1220.401	Supervisor, Financial	

From:	A1990.400	Contingent	\$3,776.00
To:	A9040.8	Workers Comp	

Abstract #704, consisting of 2007 Vouchers #197 through #208 for \$16,930.38 was reviewed and approved for payment. The total was broken down as follows:

General Funds	\$	349.00
Trust and Agency	\$	16,581.38

Abstract #705, consisting of 2007 Vouchers #209 through #270 for \$78,749.72 was reviewed and approved for payment. The total was broken down as follows:

General Funds	\$	20,462.02
Highway Funds	\$	57,679.68
Street Lighting	\$	608.02

Mr. Carr made the motion to approve Code Enforcement Officer Schmidt attend training in Albany for Fire Code Updates at a cost of \$30.00 seconded by Mrs. Sutton. All were in favor motion carried. (Absent: Wood)

Supervisor Hulbert motioned to close the regular meeting and enter into executive session at 8:45 p.m. to discuss personnel matters, seconded by Mr. Carr.

Supervisor Hulbert called the regular meeting back to order at 9:03 p.m. reporting that no action was taken on the first issue. **Mr. Carr made a motion seconded by Mrs. Sutton to pay the court clerk position an annual salary of \$12,500.00 working between twenty and twenty-five hours per week. All were in favor the motion carried. (Absent: Wood)**

Mrs. Sutton made the motion seconded by Mr. Elpel to reappoint Jerry Cunningham to Board of Assessment Review. All were in favor motion carried. (Absent: Wood)

Supervisor Hulbert has confirmed that Nadia Jackson will be able to continue to sit on the Board of Assessment Review.

Mr. Elpel motioned to approve the minutes of February 6 & 20, 2007, seconded by Mrs. Sutton. All were in favor motion carried. (Absent: Wood)

The board paid the bills; Mr. Carr was excused due to illness.

Mrs. Sutton motioned to adjourn at 9:23 p.m. seconded by Mr. Elpel.

Minutes approved: