

Minutes of a regular meeting of the Town Board of the Town of Durham held June 19, 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  
 Wes Moore – Highway Superintendent  
 Charles Soderblom – Town Clerk

Supervisor Hulbert called the meeting to order at 7:32. There were 18 people present.

**Mrs. Sutton made the motion to accept the minutes of May 1 and May 15, 2007, seconded by Ms. Wood. All were in favor motion carried. (Absent: Carr)**

Supervisor Hulbert thanked John and Charlene Hull for planting the flowers around town hall. He spoke with Ken Dudley of the Irish Cultural Center and the Durham Community Planners are welcome to place their Gazebo on the Museum property once the stump is ground down. The state has reduced the speed limit for Cunningham Road to 45 miles per hour.

Greene County Legislator Frey reported that the county is working on county Route 22 and is working with the state to have the culvert along Rt. 145 replaced. They are also following up on the signage on the Thruway for the Zume Flume.

Highway Superintendent Moore reported that the crew has spent two weeks repairing the dirt roads (Cunningham, Hulls Corner, Gulf School House, Strong, Hervey St Sunside, Morisson, Pierson Road and Old RT 23) including a drainage problem on Cunningham. They will begin the work under the CHIPS program for Goff, Carrol, Strong, Gulf School House, Hulls Corner and the lower end of Cunningham Road. Depending on cost additional oil and stone work may be done in August.

Building Inspector Cunningham reported issuing seven septic permits, three new construction, four additions/alterations, four decks, one pole barn, two garage, five certificates of occupancy, and three certificates of certification.

Code Enforcement Officer Schmidt reported one fire, five complaints, and one ticket, nine violations (three building, five weeds, and one junk).

Judge Tirpak turned in the report from the court and notified the board that Judge Rose from Greenville will begin July 2, 2007.

Sergeant Sutton reported handling forty-one complaints.

Attorney Rappleyea reported he has been working with Lamont Engineering on the Maggio Condo project. SEQOR training for the board was scheduled for July 31, 2007 at 7:00 p.m. (this will count towards the four-hour training requirement for the planning board)

Clerk/Collector Soderblom reported having collected \$2,445,551.35 to date; there are 100 bills still unpaid. Penalties collected to date are \$9205.06 and \$96.00 in second notice fees.

Assessor Bennett spoke briefly about equalization rates and presented the board with a report of expenditures, aid received and certifications during his term, which began October 5, 2000. Sole Assessors in New York are appointed for six-year terms. **Mrs. Sutton motioned to appoint Gordon Bennett as Sole Assessor for a six-year term, seconded by Ms. Wood. All were in favor motion carried. (Absent: Carr)**

County Legislators Frey, Lawrence and Lennon presented John Quirk of Lawyers Store with a proclamation commending him on his designation from the Greene County Chamber of Commerce as Businessman of the Year and his support of the many community organizations and projects, as well as memberships to various organizations. The town board also presented Mr. Quirk with a plaque in recognition of his designation.

The board reviewed the Site Plan application for Camp Govoah LLC (former Fern Cliff). The board received a copy of the certificate of insurance. **Ms. Wood motioned that the Town designate itself as lead agency for the Camp Govoah project, seconded by Mrs. Sutton. All were in favor motion carried. (Absent: Carr)**

The board reviewed the SEQOR environmental impact form for the Camp Govoah project. No issues were found. **Mrs. Sutton motioned to make a Negative Declaration for the SEQOR Environmental Impact on the Camp Govoah project, seconded by Ms. Wood. Mr. Hulbert voted in favor, Mr. Elpel abstained. (Absent: Carr)**

**Mrs. Sutton made the motion to approve the Site Plan Application contingent on the following conditions:**

- **A direct connection from each building to the fire control center**
- **Provide proof water and septic have been approved by Department of Health**

**The motion seconded by Ms. Wood, all were in favor, motion carried. (Absent: Carr)**

Joanne Rascoe, Durham Community Planners updated the board on East Durham Market Days, Central Hudson approved the permit to hang the baskets on RT 145. They hope to hang the baskets this weekend with the assistance of the East Durham Fire Company. It was suggested that the Town of Durham be added to the East Durham Welcome signs as well as a message on the back thanking people and inviting them back.

Attorney Rappleyea is compiling information on signage laws.

Dr. Goldstein explained the grant opportunities of the Hudson River Estuary Grant. He proposed we apply for funding to complete an open space land inventory within the watershed, an assessment of natural habitat and water resources. The study could be incorporated into the comprehensive plan, used for an educational tool, and guide for future development. He has spoken with Greene County Soil & Water as well as Greene County Planning and they have indicated they would support the project. The project is estimated to cost \$32,000 of which the town would be responsible for 25%. The grant application is due June 29, 2007, the approval would probably be announced late in the year, thus this would be a 2008 expenditure. **Ms. Wood moved to approve the resolution authorizing Dr. Goldstein to prepare the grant application on behalf of the town, designating either Supervisor Hulbert or Town Clerk/Collector Soderblom as signatures. The motion was seconded by Mrs. Sutton all were in favor motion carried.** (Absent: Carr)

RESOLVED:

That Gary Hulbert, as Supervisor, of the Town of Durham, or such person's successor in office, is hereby authorized and directed to file an application for funds from the Hudson River Estuary Program in accordance with the provisions of the Hudson River Estuary Management Act (ECL 11-0306) of the New York State Department of Environmental Conservation in an amount not to exceed \$25,000, and upon approval of said request to enter into and execute a project agreement with the Hudson River Estuary program for such financial assistance to the Town of Durham for the Durham Hudson River Headwaters Protection Project.

**Ms. Wood moved to approve the request that Dr. Goldstein be reimbursed \$450 for expenses incurred in preparing the grant, not for writing, seconded by Mrs. Sutton. All were in favor motion carried.** (Absent: Carr)

Dr. Goldstein explained the Quality Communities Grant for Agriculture Economic Open Space, needs to know whom the town will designate as the consultant for the project. The committee will not be able to meet until fall, as this is their busiest season. This should work to the town's advantage, as the turn around time with the state funding should also occur around this time.

The Transportation Enhancement Project funded through the Federal Byways grant is almost ready for the land acquisition approvals. Dr. Goldstein and Mr. Rappleyea have been working on the paper work together. A bond note with the bank will be required and need an estimated three-week lead-time.

Legislator Frey explained that there is no update on the funding from Senator Seward's office for the Construction Design Plan for Main Street East Durham. It is estimated the plan will cost \$50,000 of which \$30,000 is grant funded and is only available until mid 2008. The town would need to fund \$20,000. Suggestions were made to seek federal or county funding for the \$20,000.

A request for funding was presented to Congresswoman Gillibrand's office; however, they will not be releasing appropriation money until September or October.

Mr. Teichman of Camp Govoah (Fern Cliff House) invited the public to attend an open house June 24, 2007.

**Mrs. Sutton made the motion to adjourn for Executive Session for a personnel matter, seconded by Ms. Wood.**

Supervisor Hulbert called the meeting to order at 9:43 p.m. from executive session stating that no action was taken on the personnel matter.

**Mrs. Sutton motioned to approve a request from the Greene County Youth Fair for \$300.00, seconded by Mr. Elpel. All were in favor motion carried. (Absent: Carr)**

Supervisor Hulbert requested that the Town Clerk's office send copies of the minutes and an affidavit to the Unified Courts System verifying that annual audit has been completed on their record books.

**Ms. Wood made the motion to approve the following vouchers for payment, seconded by Mrs. Sutton.**

Abstract #710, consisting of 2007 Vouchers #417 through #430 for \$20,332.61 was reviewed and approved for payment. The total was broken down as follows:

General Funds	\$	103.92
Trust and Agency	\$	20,228.69

Abstract #711, consisting of 2007 Vouchers #431 through #502 for \$96,379.59 was reviewed and approved for payment. The total was broken down as follows:

General Funds	\$	20,883.83
Highway Funds	\$	74,925.12
Street Lighting	\$	570.64

**Ms. Wood motioned to adjourn at 10:07 p.m. seconded by Mrs. Sutton.**

**Minutes approved:**

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Chris Kohrs, Deputy Town Clerk