

Minutes of the Regular Monthly Workshop Meeting of the Town Board of the Town of Durham held August 7, 2018 at the Town Hall commencing at 7:30 p.m.

Present: Shawn Marriott, Supervisor
Nick Nahas, Deputy Supervisor
Joan Breslin, Council Member
Jerry Cunningham, Council Member
Linda Sutton, Council Member

Recording Secretary: Janet Partridge, Town Clerk

Others Present: Joseph van Holsteyn, Highway Superintendent
Thomas Sutton, Police Sgt.
Lois Rockefeller, Building Dept Clerk
David Cunningham, Building Inspector
Maryellen Brooks, Assessor's Clerk
Tal Rappleyea, Town Attorney
Karen Tirpak, Bookkeeper
14 community members

Supervisor Marriott called the meeting to order at 7:30 pm followed by the pledge to the flag.

A motion was made by Deputy Supervisor Nahas to open the Public Hearing on the Zoom Flume Site Plan Review, seconded by Council member Breslin, all in favor, motion carried. (5-Yeas, Marriott, Nahas, Breslin, Cunningham, Sutton)

The architect explained to the Board and the audience the new building the Zoom Flume Water Park will erect to house the entrance, offices, and gift shop along with a sidewalk along Shady Glen to improve the flow of park attendees. It was also explained that the town highway superintendent has been working with the park to improve the drainage along the road.

Breslin asked about the drainage. Superintendent van Holsteyn has met with Glen Aragona, one of the park's owners, to come up a game plan on how they will work together with the Zoom Flume crew do improve the drainage.

Lawrence Dilthey asked if this construction would increase the water usage by the park. It was explained this is not adding any more rides or pools, it is an entrance building.

Another community member, Linda, asked if a sidewalk would be put in to keep pedestrians out of the road as they walk from the park to the resort at the top of the hill. Denise Kerrigan, one of the park's owners, explained that there is only one entrance and exit to the park as per their insurance company and the resort is not owned by them anymore. Since Shady Glen has no room on the sides of the road leading up to the resort, there are no plans for sidewalks to be installed.

A motion was made by Council Member Cunningham to close the public hearing, seconded by Nahas, all in favor, motion carried. (5-Yeas, Marriott, Nahas, Breslin, Cunningham, Sutton)

Marriott read the SEQR short form.

A motion was made by Nahas to declare a negative declaration for the Zoom Flume Site Plan Review, seconded by Breslin, all in favor, motion carried. (5-Yeas, Marriott, Nahas, Breslin, Cunningham, Sutton)

A motion was made by Breslin to approve the SP2018-02 Zoom Flume Site Plan Review, seconded by Council Member Sutton, all in favor, motion carried. (5-Yeas, Marriott, Nahas, Breslin, Cunningham, Sutton)

A motion was made by Cunningham to open the Public Hearing for Local Law #1 of 2018, seconded by Breslin, all in favor, motion carried. (5-Yeas, Marriott, Nahas, Breslin, Cunningham, Sutton)

Deputy Supervisor Nahas read the Law.

Council member Sutton felt Section 1 part B should have that emergency vehicles will not be excluded from usage according to weight limits. All Board members agreed.

There were no other comments from the board or community members.

A motion was made by Breslin to close the Public Hearing for Local Law #1 of 2018, seconded by Cunningham, all in favor, motion carried. (5-Yeas, Marriott, Nahas, Breslin, Cunningham, Sutton)

Marriott read the SEQR short form.

A motion was made by Cunningham to declare a negative declaration, seconded by Sutton, all in favor, motion carried. (5-Yeas, Marriott, Nahas, Breslin, Cunningham, Sutton)

A motion was made by Breslin to adopt the following law:

**TOWN OF DURHAM
LOCAL LAW #1 OF 2018
ESTABLISHING WEIGHT LIMITS AND TRUCK ROUTES ON TOWN ROADS**

Be it enacted by the Town Board of the Town of Durham as follows:

§1. Truck exclusions based on weight

A. All trucks, commercial vehicles, tractors and tractor-trailer combinations in excess of twenty thousand (20,000) pounds gross weight, as defined in Vehicle and Traffic Law §117, are hereby excluded from the highways or portions thereof as described in the Schedule set forth in subdivision "C" below as authorized by Vehicle and Traffic Law §1660, subdivision 28.

B. This section shall not be construed to prevent: (1) the use of emergency vehicles; (2) the delivery or pickup of merchandise or other property along the highways from which such vehicles or combinations are otherwise excluded; or (3) the use of the highways designated in subdivision "C" below by such vehicles or combinations if the town superintendent of highways determines that the use of such highways by such vehicles or combinations is necessary to assist in the maintenance, service and repair of highways, sidewalks, drainage, and other similar public improvements or the installation of such.

C. SCHEDULE. Highways designated by posting of signs which shall read “LOAD LIMIT TEN TONS EXCEPT LOCAL DELIVERIES”

Such signs shall be posted at both ends of Cunningham Road, Sutton Road, Cornwallville Road, Strong Road, and Cochrane Road, and also at the intersections with State Highway 145 on Brown Road, Hillcrest Road, Shady Glen Road, Elliott Place, Stone Bridge Road, and Golden Hill Road.

§2. Truck Route System

A. A truck route system upon which all trucks, tractors and tractor-trailer combinations having a total gross weight in excess of twenty thousand pounds are permitted to travel and operate shall consist of the highways described in subdivision “C” below.

B. Notwithstanding the above exclusion, the above shall not be construed to prevent the delivery or pickup of merchandise or other property along the highways from which such vehicles and combinations are otherwise excluded or the use of such highways if the town superintendent of highways determines that the use of such highways by such vehicles or combinations is necessary to assist in the maintenance, service and repair of highways, sidewalks, drainage, and other similar public improvements or the installation of such or the use of emergency vehicles.

C. SCHEDULE. Access from State Highway 145 to State Highway 23 for vehicles in excess of 10 Tons (20,000 pounds) is provided at the intersection of the two said highways in the Town of Cairo, NY.

Access from State Highway 23 to State Highway 145 for vehicles in excess of 10 Tons (20,000 pounds) is provided at the intersection of the two said highways in the Town of Cairo, NY.

§3. Enforcement

Any law enforcement authority with jurisdiction in the Town of Durham may issue summons for violation of this local law. The driver of any vehicle questioned under this local law must display a bill of lading upon request to verify vehicle weight.

The motion was seconded by Cunningham.

Mr. Marriott	Aye
Mr. Nahas	Aye
Ms. Breslin	Aye
Mr. Cunningham	Aye
Ms. Sutton	Aye

The Local Law was thereupon declared adopted.

Cunningham wanted van Holsteyn to look into putting seal coating on the roads into his budget for next year. He believes it would extend the life of the road if it is done.

Supervisor Marriott recognized employee anniversaries:

Paul Capulli started working with the Highway Department seven years ago.

Marriott read the inspection reports for the Dog Control Officer and one of the shelters we use, Columbia-Greene Humane Society. Both received satisfactory ratings, the highest rating.

Marriott introduced a Memorandum he received from the Greene County Administrator on the CWSSI Initiative. The CWSSI Panel is looking to acquire and re-lamp all street lighting fixtures in the County that are both owned by special districts and owned generally by towns, villages and the county. He will get copies to everyone so they can go over it.

Angelo Lugo presented her variance application to the Town Board. Discussion Followed.

A motion was made by Cunningham to approve variance VP2018-01, seconded by Nahas, all in favor, motion carried. (5-Yeas, Marriott, Nahas, Breslin, Cunningham, Sutton)

Cunningham presented his rough draft of Local Law #2 of 2018, Illuminated Signs. Discussion on what should and shouldn't be included in the law followed. Attorney Rappleyea will add the suggestions to the draft and finalize it for discussion at the next meeting.

There was a question from the floor about the progress of the meetings with GSK on their help with the emergency services budget line. Legislator O'Connor was working to set up another meeting but Marriott hasn't heard from him on a date.

A community member asked how the new law on truck weight limits would be enforced. The local police department, the county sheriff's department and the NYS troopers will all get a copy of the law sent to them.

A motion was made by Breslin to enter into executive session at 8:20pm to discuss matters related to the medical, financial, credit or employment history of a particular person or corporation, or relating to appointment, promotion, demotion, discipline or removal, seconded by Sutton, all in favor, motion carried. (5-Yeas, Marriott, Nahas, Breslin, Cunningham, Sutton)

A motion was made by Cunningham to return from executive session at 9:48pm, seconded by Sutton, all in favor, motion carried. (5-Yeas, Marriott, Nahas, Breslin, Cunningham, Sutton)

No action was taken.

At 9:48 pm Marriott motioned to adjourn, seconded by Cunningham.

Respectfully Submitted,

Janet Partridge,
Clerk/Collector