

Minutes of the Regular Monthly Workshop Meeting of the Town Board of the Town of Durham held October 2, 2018 at the Town Hall commencing at 7:30 p.m.

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

Absent: Nick Nahas, Deputy Supervisor

Recording Secretary: Janet Partridge, Town Clerk

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

Terry Ward, Executive Director of Greene County Human Services, gave a presentation before the start of the meeting on the programs offered by the department and shared information with everyone present.

Supervisor Marriott called the meeting to order at 7:33 pm followed by the pledge to the flag.

Marriott reported the playground at the Durham Elementary School has been given to the town by the School District. The highway department is currently in the process of taking it down, repairing parts and will be erecting it at Brandow Park for Durham residents to enjoy.

The resolution passed by the Town Board for changing the speed limit on Flinn Road was processed by the county highway department and a recommendation was sent to NYS DOT.

A motion was made by Council Member Breslin to open the public hearing on Variance VG2018-02, seconded by Council Member Sutton, all in favor, motion carried. (4 Yeas – Marriott, Breslin, Cunningham, Sutton – Absent 1 – Nahas)

The unit is a ground solar unit with 32 panels to be installed along 20 Zimmer Road. It would be 43 feet long and 8 foot high in the back. A variance approval is needed since it is within the 65 foot setback from the center of the road.

Jim Sullivan, a community member who lives across the street, voiced his concern with the unit negatively affecting his view from his house. Mr. Sullivan expresses the fact that another neighbor who could not make the meeting tonight was not in favor of the system being installed close to the road.

Melissa Fox, owner of the property where the unit is being installed, explained it is the only place on the property for her to install the unit. She also explained she would be putting shrubbery up to conceal the unit from the road.

Karen Rivers asked if the neighbors had spoken to each other and suggested that they meet and Ms. Fox could show Mr. Sullivan where she is putting the unit and maybe that would help come to a consensus.

The Board was encouraged by Attorney Rappleyea to review the 5 step test. Question 1: Will granting the variance result in a substantial or negative change to the character of the surrounding community? Question 2: Will it be a detriment to the surrounding properties or to the environment? Question 3: Is the request substantial? Question 4: Is there an alternative way to meet the request? Question 5: Is the need for the variance self-created?

Discussion on these questions followed. The public hearing will be kept open to give other neighbors a chance to reach out to the board.

The public hearing on LL#2 – Regulating Solar Systems continued from the last meeting.

Chip Smith asked about cutting trees along the roadway. It was confirmed tree removal by the property owner along roadways was fine.

A motion was made by Breslin to remove any mention of restriction of the front yard since there isn't a clear definition of a front yard from LL#2 of 2018, seconded by Sutton, all in favor, motion carried. (4 Yeas – Marriott, Breslin, Cunningham, Sutton – Absent 1 – Nahas)

A motion was made by Breslin to remove any mention of prime farmland from the LL#2 of 2018, seconded by Council Member Cunningham, all in favor, motion carried. (4 Yeas – Marriott, Breslin, Cunningham, Sutton – Absent 1 – Nahas)

A motion was made by Breslin to remove "and shall be color coordinated to harmonize with roof materials and other dominant colors of the structure" from page 7, section 7-D, seconded by Cunningham, all in favor, motion carried. (4 Yeas – Marriott, Breslin, Cunningham, Sutton – Absent 1 – Nahas)

A motion was made by Breslin to change the wording on page 8 section 8-D to include it is recommended to mitigate the visual impact, seconded by Cunningham, all in favor, motion carried. (4 Yeas – Marriott, Breslin, Cunningham, Sutton – Absent 1 – Nahas)

A motion was made by Cunningham to close the public hearing on LL#2 of 2018, seconded by Sutton, all in favor, motion carried. (4 Yeas – Marriott, Breslin, Cunningham, Sutton – Absent 1 – Nahas)

Attorney Rappleyea will make the corrections and email a red lined copy to the board for them to see the corrections and then they will be ready to vote on the document at the next meeting.

Durham Ambulance went over the budget they submitted to Supervisor Marriott. Their total budget is \$351,550. They are requesting \$178,000 from the Town Board. Discussion on the increase followed.

East Durham Fire Company presented their budget to the Town Board. They are requesting \$138,900. Last year they requested \$134,900 and received \$129,600.

Oak Hill – Durham Fire Company presented their budget to the Town Board. They are requesting \$130,350. Last year they requested \$128,850 and they received \$123,900.

The Town Board received the preliminary budget from the Town Clerk. They set up two Budget workshop meetings for 10/9/2018 at 7:30pm and 10/23/2018 at 6:30pm.

Marriott suggested looking over the Proposed Sign Law that Rappleyea put together and they will discuss it further at the next meeting.

Marriott reminded everyone that there will be a town wide meeting at the Durham Elementary building on 10/3/2018 and all are welcome.

Marriott explained to the board members that the bookkeeping system the Town is currently using is old and there are not going to be anymore updates to it therefore it needs to be replaced. BAS has built a new system and gave him a quote of \$18,400 to purchase it along with two other modules. They will bill the town in two installments. One will be due in January of 2019 and the other in January of 2020. Marriott is looking to use Fund Balance to purchase the system. Discussion followed.

A motion was made by Cunningham sign the agreement letter with BAS to purchase the Bookkeeping System as quoted for \$18,400, seconded by Sutton, all in favor, motion carried. . (4 Yeas – Marriott, Breslin, Cunningham, Sutton – Absent 1 – Nahas)

Cunningham reported that Nick Nahas will be coming home this week. He is still doing therapy and is making improvements. The Town wishes him all the best in his recovery process.

A community member asked if a request could go in to change the speed limit on Route 145 from GSK to the town of East Durham. Discussion followed. The Town put in a request last year and is still waiting to hear back from the state.

The property owners on Albin Road are looking to have the name changed back to Albanese Lane since it was changed when 911 came through. Marriott just asked for the final signature from one of the property owners and then they will bring the Resolution up for vote.

There is a police car up on Auctions International from the Town of Germantown. It has just over 47,000 miles on it. Right now the price is \$1,475 and there are six days left to bid. Discussion followed.

A motion was made by Marriott to set the top amount to spend on the police car on Auctions International at \$7,025, seconded by Breslin, all in favor, motion carried. (3 Yeas – Marriott, Breslin, Cunningham, Abstained 1 – Sutton, Absent 1 – Nahas)

Breslin thanked all the members of the committee who worked on the Solar Systems Law. It was a lot of information to compile and she appreciated the work they put in.

At 9:45 pm Cunningham motioned to adjourn, seconded by Breslin.

Respectfully Submitted,

Janet Partridge,
Clerk/Collector