

Minutes of the Meeting of the Town Board of the Town of Durham held October 21, 2003, at the Town Building in Oak Hill, N.Y.

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| Present:            | Robert Young – Supervisor<br>Gary Hulbert – Councilman<br>Linda Sutton – Councilwoman<br>Robert Elpel – Councilman                  |
| Absent              | William A. Carr, Jr. – Councilman   |
| Recording Secretary | Charles Soderblom - Town Clerk  |
| Others Present:     | Wesley Moore – Highway Superintendent<br>Scott Levine – The Daily Mail<br>Cindy Moore - Bookkeeper<br>Tal Rappleyea – Town Attorney |

The Supervisor called the meeting to order at 7:30 P.M.

**Mr. Elpel made a motion and seconded by Mr. Young to approve the minutes of September 2 and September 16. All were in favor.**

The Building Inspector report was filed.

Mr. Young asked Wesley Moore if the plumbing and water had been turned off at Brandow Park. Wesley said that Alan Beechert would take care of that.

Wesley Moore read the Highway Superintendents report for September. They did some blacktop work on Hulls Corner Road, Benanti Road, and Rockwell Road getting ready for winter. There was a problem on Cornwallville Road near George Stengel Jr.'s home. The rain had cracked the road and on further investigation, they found that the bottom bank had let go near the stream channel. Carver hauled in about 450 ton of Rip Rap to repair the bank as well as material from the renovations done to the driveway of the Oak Hill Firehouse. The stream channel has been moved away from the side of the road. They have also filled the building with sand and salt. They are working on the roads for winter and the trucks. The 1999 International 4 wheel drive needs the springs replaced and the 1995 Ford L9000 needs the front end rebuilt.

The Assessor Report was filed.

The Police Report was filed. There were 35 complaints.

Tal reported that he is working on the Durham Woods approval. In addition, he contacted Columbia-Greene Humane Society, whom he is waiting to hear back from, about our contract and Mohawk Humane Society as an alternate. Mrs. Sutton asked Tal to contact Schoharie County also.

The Dog Control Report was filed. There were six complaints.

Guenter Ohm reported that the legislature is about halfway through the budget hearings. They are hoping to complete the process by the end of October. In early November, we should know what the new tax rate is. Mr. Ohm thought the tax increase would be kept at a reasonable level. Elections are coming up and Mr. Ohm hoped if elected, he would see a number of conservation legislatures in place, so we can keep things at a reasonable level. His advice was to get out to vote for the right people.

Mr. Cullie read the Historical Preservation Commission report. The meeting was held October 11, 2003. Mr. McClure requested a Certificate of Appropriation for a two-car garage and storage area on Strong Road. The committee was to meet at the site and see if it followed the guidelines of the Historical District. In addition, an Oak Hill resident requested that their home be removed from the Local historical homes designation. It was determined that it should be discussed with NYS Dept. of Parks and Historical Preservation office to check if there were any legal ramifications involved in this request. Mr. Cullie did, and the home can be removed. He will notify the resident. In addition, they discussed the grant request from the commission to NYS Dept. of Parks and Historical Preservation Commission. This grant was written and submitted in December 2002 with an April 2003 deadline for awards announcement. After several months of waiting a telephone call was made in June to NYS office in Albany requesting the status, we were told it was on hold. After calls made in July, August and September 2003, we were told: The Town of Durham was notified on April 18 in a letter sent to Town Supervisor, Mr. Young that the grant was not approved for several reasons. The Durham Commission had not been notified, by Mr. Young of this correspondence. The reason NYS said the grant was on hold was that they thought we were referring to round two of the grant process (a new grant program) which was due in July 2003. Of course, the commission thinking their original request was still in the works missed applying for the new grant. We are currently waiting for a copy of the April 18 letter sent to Mr. Young. Mr. Cullie asked what ever happened to the letter sent to you in April. Mr. Young, "I never got no letter." There was further discussion.

Mr. Cullie read the Durham Chamber of Commerce Report. The meeting was held on September 22. They discussed the Durham Satellite Library project. The library is on hold until the Board meets with the Cairo Representatives. The Chamber has agreed to work with the Christmas in Durham Committee.

Irene Lanzilotta updated the street banner project. Irene reported that she had 12 people signed up for the banners. Mr. Cullie asked what the amount was that the town had decided to give toward the banners. It was noted that the board had agreed to pay half of the expense.

Mr. Cullie handed in the paperwork to the town board concerning the sidewalks in East Durham. This project had started in 1997, the estimate two years ago was for a million dollars, and the town would have to pay 20%.

Mr. Cullie reported that we had received the court grant. The request originally had been for \$1,400 for computer system and software. They will receive \$5,100.

The Moore Subdivision was discussed. **Mrs. Sutton made a motion and seconded by Mr. Elpel to approve the subdivision with a small revision to new map boundary. All were in favor.**

Charlie Soderblom brought up four roads that were never put on the road inventory. He needs a resolution to send to the state to put them on the inventory. In addition, Stonitch Road had the incorrect mileage. The added roads will increase our amount from CHIPS.

#### A RESOLUTION TO ADD ROADS TO THE TOWN INVENTORY OF ROADS

Mrs. Sutton offered the following resolution and moved its adoption:

WHEREAS, the Town of Durham has been maintaining Benanti Road, Carroll Road, Reich Road and Smith Lane for many years and,

WHEREAS, they were never put on the Town Inventory of Roads,

THEREFORE, the Town Board of the Town of Durham does hereby request that the following roads be added to the inventory:

Benanti Road - 0.17 miles starting at County Route 20 and ending at the dead end;  
 Carroll Road - 0.20 miles starting at Goff Road and ending at the dead end;  
 Reich Road - 0.23 miles beginning at Strong Road and ending at the dead end;  
 Smith Lane - 0.24 miles beginning at County Route 20 and ending 0.24 miles in  
 where the loop becomes private.

Mr. Young seconded the motion. Voting was as follows:

|         |        |
|---------|--------|
| Carr    | Absent |
| Elpel   | Aye    |
| Hulbert | Aye    |
| Sutton  | Aye    |
| Young   | Aye    |

The Resolution passed.

Roger Vaughn has agreed to stay on as a member of the Board of Assessment Review. **Mrs. Sutton made a motion and Mr. Young seconded to reappoint Roger Vaughn to the Board of Assessment Review. All were in favor.**

Mr. Cullie asked if there was a representative from the Cairo Library. No one was in attendance. A resident asked if the Town of Durham was still paying rent to Doreen for the space. The rent is paid through the month of August, but September and October is pending. Mr. Sutton explained that they have moved things into the room and have decided for the time being to go on without them. There was further discussion, because you can't have a library without the state. It is not opened, but they are storing the books

there and the donated computers. Jody Wood explained that Doreen was gracious enough to let them store the books and supplies in the space for now. There will be an announcement when they have everything completed.

Mr. Hulbert asked Al Schmidt about the engineers for the unsafe buildings. He has not spoken to Ewald, but would by the next meeting.

**Mr. Elpel made to motion seconded by Mr. Hulbert to approve the following transfers, all were in favor.**

|       |                              |          |
|-------|------------------------------|----------|
| From: | A1990.4 Contingent Fund      | \$487.50 |
| To:   | A1420.4 Attorney Contractual | \$487.50 |

|       |                                   |          |
|-------|-----------------------------------|----------|
| From: | A1190.4 Contingent Fund           | \$930.28 |
| To:   | A3620.4 Building Dept Contractual | \$930.28 |

|       |                             |             |
|-------|-----------------------------|-------------|
| From: | Highway Surplus             | \$13,424.12 |
| To:   | DA5142.400 Snow Contractual | \$13,424.12 |

Mrs. Sutton asked if we had heard from the State about the speed limit on Old Plank Road.

Mr. Hulbert asked if there has been any communication from the cell tower company regarding the monies in escrow. Mr. Rappleyea explained that he still has not received any response to his numerous attempts. The board authorized Mr. Rappleyea to contact the State Comptrollers office for advice on how to proceed with this matter.

Mr. Soderblom explained to the board that according to the law he needs to advertise five days in advance when the public hearing will be for the budget. As we have not completed the budget process for the necessary salaries, we need to complete it by October 23, 2003 to allow for the required notification, in order to have the public hearing on October 30, 2003.

**Mr. Hulbert made a motion seconded by Mr. Elpel to adjourn the meeting at 8:50 pm. All were in favor.**

Minutes Approved:

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Charles G. Soderblom  
Town Clerk