

Minutes of the meeting of the Town Board of the Town of Durham held January 20, 2004 at the Town Building in Oak Hill, N.Y.

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

Recording Secretary: Chris Kohrs – Deputy Town Clerk
Others Present: Wesley Moore - Highway Superintendent
Tal Rappleyea – Attorney for the Town
Charlie Soderblom – Town Clerk

The Supervisor called the meeting to order at 7:30 P.M. with the Pledge to the Flag.
Twenty-three people were present.

Mrs. Sutton made the motion seconded by Mr. Carr to approve the minutes of December 2, 2004 and December 16, 2004, all were in favor.

Mr. Hulbert shared information received pertaining to a course offered by Cornell Cooperative Extension's Agro Forest Center.

Highway Superintendent Moore reported that they have used approximately 1572 tons of sand and salt plus 2500 gallons of liquid calcium chloride. He has had Carver haul in sand in 300-ton lots until the new dump trucks arrive. The trucks should be here by the end of the week. I have also had more salt delivered along with 3000 gallons of calcium and an additional 150 tons of salt on order.

Code Enforcement Officer Schmidt reported that they have issued five permits from 12/16/03 thru 01/20/04 and sixteen Certificate of Occupancies. He has presented Attorney Rappleyea drafts of letters for two homes in the village of Oak Hill slated for demolition due to hazardous conditions. Once the letters are approved, they will be forwarded to the homeowners and a public hearing will be scheduled for March 2, 2004.

The board received the Judge's report.

There was no report from the Assessor's office.

The Police reported that they handled twenty-eight complaints in December and four hundred fifty for 2003.

Attorney Rappleyea reported that new dump trucks would be ready by the end of this week. He will process the paper work for the bond and it should be completed within forty-five days. The Schoharie Humane Society should have a contract for us by Friday and in the interim, we will continue to use Columbia-Greene Humane Society to process strays.

The board received the Dog Control Officer's report; he has handled one barking dog complaint and numerous calls regarding dogs out in the cold.

Clerk/Tax Collector Soderblom reported that he currently has processed approximately \$550,000 and has turned over to the Supervisors office \$450,000.

There was no meeting of the Task Force in the month of December. Their next meeting will be Monday, January 26, 2004 at 7:30 p.m. at the East Durham Fire House.

The Town of Durham Historic Preservation Commission met December 13, 2003. They reviewed an application for certificate of appropriateness from Mr. and Mrs. Moxley. A decision was tabled until additional information could be obtained. They are keeping communications flowing between the COE office, the Oak Hill Homeowners (properties slated for demolition), and themselves. They are reviewing a proposal to have the village of Oak Hill designated as a Historic District similar to the village of Cornwallville.

At 7:40 p.m., Mr. Hulbert made a motion to close the regular meeting to open the Public Hearing for the Gelhorn Subdivision. The board reviewed the subdivision plans. As there was no comment from the public **Mrs. Sutton made the motion seconded by Mr. Elpel to approve the subdivision, all were in favor.** At 7:49 p.m., Mr. Hulbert made the motion to close the public hearing and reopen the regular meeting.

The following resolutions were offered:

At a meeting of the Town Board of the Town of Durham held on January 20, 2004, the following resolution was passed.

Resolution in memory of Harry M. Ketcham, Jr.

Mr. Carr offered the following resolution.

WHEREAS, Harry M. Ketcham, Jr. has served on the Board of Assessment Review for the Town of Durham since January 1, 1978, therefore

BE IT RESOLVED that we the Town Board of the Town of Durham respectfully submit to the Divine Will of Almighty God by his calling to himself of Harry Ketcham, Jr., who served this Town conscientiously and well, always putting the affairs of his fellow man before all thought of self. He conducted himself in all Board matters with kindness and humility but with firmness of purpose. In the passing of Harry Ketcham, Jr., the Town of Durham loses a good citizen. We extend to the members of his immediate family our heartfelt sympathy in their bereavement.

Seconded by Mrs. Sutton and carried.

At a meeting of the Town Board of the Town of Durham held on January 20, 2004, the following resolution was passed.

Resolution in memory of Helen Mack.

Mrs. Sutton offered the following resolution.

WHEREAS, Helen Mack has served as an Assessor for the Town of Durham from 1978, until December 31, 1996, therefore

BE IT RESOLVED that we the Town Board of the Town of Durham respectfully submit to the Divine Will of Almighty God by his calling to himself of Helen Mack, who served this Town conscientiously and well, always putting the affairs of her fellow man before all thought of self. She conducted herself in all Board matters with kindness and humility but with firmness of purpose. In the passing of Helen Mack, the Town of Durham loses a good citizen. We extend to the members of her immediate family our heartfelt sympathy in their bereavement.

Seconded by Mr. Elpel and carried.

Supervisor Hulbert explained that he has sent a letter to Milestone Communications informing them that he is their new contact person. He also inquired as to what they would be upgrading in the coming contract and to date has not received a reply. He will wait another month and there after schedule a public hearing to discuss the options with the community.

We have not received any bids on the Cleaning position however; we have received application for three individuals interested in the job. The board will interview these applicants.

Theresa Borwegen explained to the board that she has contacted Cellular One about reviewing her property on Rt. 81 as a possible cell tower location. The board explained that they are in full support of a cell tower within the town. Herb Fried added that he has spoken with Cellular One also and they are proposing to add new towers in 2004 and the Town of Durham is approximately #10 on the list.

Rick Vanderbeck of the Town of Durham Rescue squad spoke to the board regarding the Greene County Medic Program. The medics were called to the Town of Durham approximately 100 times in 2003 and only billed for 75 calls, the actual times that the medic rode the ambulance to the hospital. They have checked into billing the patient an additional \$100 for paramedic service when the medic administers at least three drugs. With the town of Cocksackie participating in the medic program theoretically, we should see our percentage of the bill drop.

The Greene County Legislature has agreed to kick back to directly to the towns that participate in the medic program a total of \$250,000. The amount will be determined by the percentage of calls.

They have five new ALS members for a total of eleven.

Mr. Carr complimented the Ambulance, medic and 911 system regarding a recent medical emergency. Everyone was very professional and responded quickly.

Supervisor Hulbert commented on a letter received about Dog abuse. He spoke with the complainant and dog owner. It is his understanding that the situation is resolved.

The board will interview the applicants for the open board seat on January 27, 2004 at 7:30 p.m. Supervisor Hulbert will contact the applicants.

Attorney Rapplelea and the board reviewed the 2004 contracts for the Oak Hill Durham Fire Company, East Durham Fire Company, and Town of Durham Ambulance Squad. The contracts were approved and signed. Attorney Rapplelea agreed to revise the contracts of the fire companies so that in the future they shared the same format for ease of comparison.

The board reviewed the books of the Clerk/Collector and the Court. Everything was in order.

Mr. Carr made a motion seconded by Mrs. Sutton to approve the following resolution.

WORKERS COMPENSATION – SELF-INSURANCE

WHEREAS there has been proposed a “NEW YORK STATE MUNICIPAL WORKERS’ COMPENSATION ALLIANCE PLAN DOCUMENT” pursuant to Section 50 3-a of the Workers’ Compensation Law (hereinafter “the Plan”); and

WHEREAS the Town of Durham is eligible for membership in the Plan: and

WHEREAS the Town of Durham has made an independent investigation of the Plan and reviewed the Plan document, and has concluded that it would be in the interests of the Town of Durham to participate therein; now, therefore, be it

RESOLVED that the Town of Durham enter into membership in the Plan pursuant to Section 50 Subdivision 3-a of the Workers Compensation Law; and be it further

RESOLVED, that either the Supervisor of the Town clerk be and hereby is authorized and instructed to execute the Plan’s charter document on behalf of the Town of Durham; and be it further

RESOLVED, that the custody of all joint Plan moneys by the Plan Administrator under the Plan be and the same hereby is approved.

A MOTION was made by Mr. Carr and seconded by Mrs. Sutton to adopt the above resolution by the Town Board of the Town of Durham at its January 20, 2004 meeting.

Mr. Carr made the motion seconded by Mrs. Sutton to amend the organizational minutes to show a 2% increase for Orin Blakeslee.

The board approved the change for dental insurance from Guardian to Met Life. The change will save the town approximately \$1,400.

A meeting to discuss health insurance options will be scheduled once the vacant board seat has been filled.

Mr. Elpel made the motion seconded by Mr. Carr to approve the following 2003 transfers:

FROM:	A 1990.400	CONTINGENT	(\$1,575.00)
TO:	A 1420.400	ATTORNEY	\$1,575.00
FROM:		GEN SURPLUS-STRUCTURAL INSPEC	(\$581.75)
TO:	A 3620.400	BUILDING DEPT CONTRACT	\$581.75
FROM:	A 3120.200	POLICE EQUIPMENT	(\$10.00)
TO:	A 3120.400	POLICE CONTRACTUAL	\$10.00
FROM:		HWY SURPLUS	(\$1,691.39)
TO:	DA 5130.200	MACHINERY EQUIP	\$1,691.39
FROM:		HWY SURPLUS	(\$1,266.90)
TO:	DA 5130.400	MACHINERY CONTRACT	\$1,266.90
FROM:		HWY SURPLUS	(\$6,399.53)
TO:	DA 5142.400	SNOW, CONTRACT	\$6,399.53

Old year Abstract #325 consisting of Vouchers #984 through #1019 in the amount of \$14,791.31 were reviewed and approved for payment. The total amount was broken down as follows:

General Funds	\$4,845.94
Highway Funds	\$9,945.37

New year Abstract #401 consisting of Vouchers #101 through #133 in the amount of \$68,520.31 were reviewed and approved for payment. The total amount was broken down as follows:

General Funds	\$42,683.88
Highway Funds	\$25,321.72
Street Lighting	\$ 514.71

| Mr. Carr made a motion seconded by Mr. Elpel to adjourn the meeting at 9:20 p.m.

Minutes approved:

_____ Chris Kohrs, Deputy Town Clerk