

Minutes of the meeting of the Town Board of the Town of Durham held February 17, 2004 at the Town Building in Oak Hill, N.Y.

Present: Gary Hulbert - Supervisor  
William A. Carr, Jr. – Councilman  
Robert Elpel - Councilman  
Jodi Wood – Councilwoman

Absent: Linda Sutton - Councilwoman

Recording Secretary: Chris Kohrs – Deputy Town Clerk  
Others Present: Wesley Moore - Highway Superintendent  
Gordon Bennett – Sole Assessor  
Tal Rappleyea – Attorney for the Town  
Charles G. 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.

**Mr. Elpel made a motion to approve the minutes of the meetings of January 2, January 6, January 20, and January 27, 2004. Mr. Carr seconded the motion and it carried.**

Mr. Hulbert read a notice from the Court Clerk that her Saturday hours have changed to 9 a.m. to 11 a.m.

Highway Superintendent Wes Moore reported that in the last 30 days we have used approximately 980 tons of sand and salt mixed together and 450 gals. of liquid calcium chloride to keep the roads safe. Carvers has delivered some salt and sand, as we were running low and our new trucks were having warrantee work done. The trucks are now running and we are hauling our own materials.

Mr. Moore also informed the board that he is looking to purchase a new equipment trailer preferably a 20-ton tag along with loading ramps on the back. He estimates the cost to be between \$12,000 and \$13,000. The current equipment trailer is quickly becoming obsolete with the size equipment he needs.

The judge's report was received.

Sole Assessor Gordon Bennett, at the request of a resident, asked the Board to consider adopting a Disability Exemption for residents with low income. Mr. Bennett explained that disability would be determined and certified by Social Security or the Railroad and income qualified. In addition, the deadline for filing would be March 1 as are all exemptions. The town could opt to extend the dead line one time only for the first year. Mr. Rappleyea, Attorney For the Town, explained that the Town would need to propose a Town Law and hold a public hearing before the exemption could be implemented. Mr.

Bennett added that currently only about one third of the towns in the County have adopted this exemption and the County has not. In the towns, that Mr. Bennett is the sole assessor he has one participant in New Baltimore and one in Cossackie. It is in Mr. Bennett's opinion that this exemption would not put a burden on the taxpayers as a whole but could significantly assist a small percentage of them. The income level would be same as the sliding scale as senior citizen, however, the statute requires that the scale extend three more brackets, 15%, 10%, and 5%. Additional discussion followed and it was agreed that the Board would work on this exemption for adoption in 2005.

Mr. Bennett explained that at the previous meeting he had projected that the annual assessment review would increase assessments on residential 8%, however, with the recent sales reports he has received he feels that this should be 10%. Therefore, the assessment increase for 2004 would be 10% residential, 3% vacant land & farm and 2% commercial. This is the first increase commercial property will have received in three years. The Board agreed to support Mr. Bennett's recommendation and emphasized the need for information to the public to explain that the increase in assessment doesn't equate to an increase in taxes; that the taxes are budget driven. In addition, Mr. Bennett referred to an article in the paper that stated that Greene County saw the largest increase in residential property values in the State, somewhere between 35 and 40%.

There was no police report.

Attorney Rappleyea reported that he has received a contract from the Mohawk & Hudson River Valley Humane Society. They are willing to process our stray dogs for \$150 each and to assist us in amending our dog ordinance law to enable us to recoup the cost from the dog owner. **Mr. Carr made a motion seconded by Ms. Wood to authorize the Supervisor to sign the contract from Mohawk & Hudson River Valley Humane Society, all were in favor, motion carried.**

The Attorney also explained that the paper work for the financing of the new trucks is almost complete and the loan should close soon.

Code Enforcement Officer Al Schmidt reported that his office has issued six building permits. He also requested that the board approve rescheduling the hearings for the proposed demolition of the properties in Oak Hill until April due to weather. **Mr. Elpel made the motion to reschedule the hearings for April seconded by Ms. Wood, all were in favor, motion carried.**

Dog report was received

Tax Collector Charles Soderblom reported that as of February 1, 2004 his office has processed 1.9 million dollars. The town has received their money and he is currently making payments to the county. Mr. Soderblom received notification from the county that the warrant was reduced by \$465.00. There are 520 bills unpaid out of the original 2300.

Mr. Cullie reported that the Reading Room preparations have begun and expects to open to the public the beginning of March. They have hired an individual to work 13 hours per week at \$9.00 per hour. They are in need of additional shelving and are still accepting books.

Mr. Cullie reported that the Historic Commission is waiting for a map from New York State outlining the proposed historic district for the hamlet of Oak Hill. Once they have received this they will contact the residents and request their input.

**Supervisor Hulbert made the motion to close the regular meeting and open the public hearing for the Baron subdivision at 8:10 p.m.**

The board reviewed the map showing the subdivision of the parcel located on Rte. 81. There will be three new parcels created as follows: 46.923 acres, 47.463 acres, and 34.628 acres. There were no objections from the public. **Mr. Carr made a motion seconded by Mr. Elpel to close the public hearing and reopen the regular meeting at 8:15 p.m.**

**Ms. Wood made the motion seconded by Mr. Carr to approve the Baron subdivision, all were in favor, motion carried.**

Glen Aragona asked for clarification on a minor and major subdivision. He is considering purchasing property for development. The board explained that we do not have zoning and that the law and application explains the process required for subdivisions. It was also explained that when more than an acre of land is going to be disturbed the DEC has requirements that must be met before development can be approved.

The Board has not received a response for the position of Dog Enumerator. The topic will be revisited at the next workshop.

Milestone Communications has not responded to Supervisor Hulbert's request inquiring about their planned operations or improvements for the new contract period. A public hearing will be held March 16, 2004 to hear from the public their wishes and concerns.

The town has received an application for a mass gathering from the Irish Cultural Center for their Annual Irish Festival to be held Memorial Day Weekend. The Board will review the application and discuss at the next workshop.

Mr. Weiss addressed the board regarding his discontent with the Board's actions pertaining to an altercation between himself and Officer Marchesani. The Board acknowledged his concerns and explained the matter is still being reviewed and a determination will be made at a later date.

Mrs. Lanzilotta reported that she is waiting for the new catalog to place the order for the street banners in East Durham.

There were no transfers for the month.

Abstract #403, consisting of Vouchers #147 through #212 in the amount of \$ 242,480.36 was reviewed and approved for payment. The total amount was broken down as follows:

General Funds	\$ 54,466.80
Highway Funds	\$ 29,490.57
Fire Districts	\$158,000.00
Street Lighting	\$ 522.99

Mr. Carr made a motion seconded by Mr. Elpel to adjourn the meeting at 9:05 p.m.

Minutes approved:

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Chris Kohrs, Deputy Town Clerk