

Minutes of the work session of the Town Board of the Town of Durham held June 1, 2004 at the Town Building in Oak Hill, N.Y.

Present: Gary Hulbert - Supervisor
William Carr - Councilman
Robert Elpel - Councilman
Linda Sutton – Councilwoman
Jodi Wood - Councilwoman
Recording Secretary: Chris Kohrs – Deputy Town Clerk

Others Present: Wesley Moore - Highway Superintendent
Charles Soderblom – Town Clerk
Tal Rappleyea – Town Attorney

The Supervisor called the meeting to order at 7:30 PM with the Pledge to the Flag. Eighteen people were present.

Mr. Hulbert moved to close the regular meeting and open the public hearing for the James subdivision at 7:32 p.m. There were no comments from the public. Mr. Buckman, representing the James' explained that at right of way will be drawn into the survey and written in to the deed allowing access to the second lot as the property line lays in the middle of the driveway. Mr. Hulbert moved close the public hearing for the James subdivision at 7:38 p.m.

Mr. Hulbert moved to open the public hearing for the Dines subdivision at 7:38 p.m. There were no comments from the public. **Mr. Carr made a motion seconded by Ms. Wood to approve the subdivision, all were in favor and the motion carried.** Mr. Hulbert moved to close the public hearing for the Dines subdivision and reopen the regular meeting at 7:43 p.m.

The board discussed the ten-year cable contract renewal with Milestone Communications. There are no major upgrades, extension of coverage area, or internet service outlined in the contract. They have provided a current map of areas receiving service. Mr. Fried asked if the contract prevents another service from entering the town and providing service to the areas not currently receiving service. Mr. Rappleyea responded that it could not recall any wording that prevented another company from entering the town. **Mr. Carr made the motion seconded by Ms. Wood to approve the renewal of the contract with Milestone communications for ten years starting when the current contract expired, all were in favor, and the motion carried.**

Mr. Moore asked permission to bid on a 1986 Gradall at the state auction on June 16, 2004. He explained that if he were successful in obtaining the Gradall he would forgo purchasing a new pickup truck this year. **Mr. Elpel made the motion that the Supervisor write a letter granting permission for Mr. Moore to bid on the 1986 Gradall with a limit of \$19,500.00 and that if he is not successful that he be**

permitted to purchase a new pickup truck. Mrs. Sutton seconded the motion, all were in favor and the motion carried.

Mr. Hulbert moved to close the regular meeting and open the public hearing for Local Law #2 of 1997.

TOWN OF DURHAM
AMENDMENT OF TOWN BUILDING LAW (Local Law # 2 of 1997)
LOCAL LAW # 1 OF 2004

SECTION 1 Title

This local law shall be known as an Amendment of the Town of Durham Local Law # 2 of 1997.

SECTION 2 Amendment

This Local Law shall amend the above mentioned Building Law of the Town of Durham known as Local Law #2 of 1997 by the addition of the following to Section 5: Permit Conditions:

SECTION 5.

E. The Town shall reserve the right to require the applicant to hire for the Town, at the applicant's expense, an engineer, architect, or other professional necessary to properly review and complete any project or application based upon the complexity of the said project or application. Such engineer, architect, or other professional shall be acceptable to both the applicant and the Town. The Town Building Inspector shall obtain the approval of the Town Board prior to requiring the retainer of such engineer, architect, or other professional.

SECTION 3: Effective Date

This local law shall become effective upon adoption and in accordance with the New York State Municipal Home Rule Law.

Mr. Carr made the motion seconded by Mrs. Sutton to amend Local Law #2 of 1997 as submitted. All were in favor and the motion carried. Mr. Hulbert moved to close the public hearing for Local Law #2 and open the regular meeting at 7:54 p.m.

The board discussed the proposed noise law. Concerns regarding enforcement, impact on businesses such as the resorts, being used as a tool in neighbor disputes, and whether or

not the town was spending too much time on a topic that seems to have been a concern for just a couple of individual. It was suggested that the law be put up for public referendum. Mr. Rappleyea explained that it might not fall into the area that is allowed to be put on public referendum, however, a straw pole could be held, he would look into and report to the board. The board decided to revisit the topic in the fall.

The board discussed the current Junk Yard Law. Mr. Carr explained that he would like to see the wording changed to include that the junk not be visible from the highway or adjoining properties. Additional concerns were manpower to enforce, infringement on personal rights, and enforcement to all not a select few. The board agreed to review the current law as well as others in the surrounding towns and address in the next work session and the current law is enforceable in the meantime.

The town received a letter from the Cairo-Durham Director of Athletics, thanking them for the use of the Patrick Kelleher Little League field for their softball program.

Mr. Carr made a motion seconded by Ms. Wood to approve a request from the Durham Chamber of Commerce to hold a parade July 3, 2004 at 11:00 a.m. in East Durham. All were in favor and the motion carried.

Ms. Wood made the motion seconded by Mr. Elpel to adjourn at 9:20 p.m.

Minutes approved:

| Chris Kohrs, Deputy Town Clerk