

Minutes of the meeting of the Town Board of the Town of Durham held December 16, 2003, at the Town Building in Oak Hill, N.Y.

Present: Gary Hulbert - Councilman  
Robert Elpel - Councilman  
Linda Sutton – Councilwoman

Absent: Robert Young - Supervisor  
William A. Carr, Jr. – Councilman

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

In the absence of both the Supervisor and the Deputy Supervisor, the Town Board appointed the Town Clerk, Charles Soderblom to chair the meeting.

The Chair called the meeting to order at 7:30 P.M. with the Pledge to the Flag. Twenty people were present. **Mr. Elpel made the motion seconded by Mr. Hulbert to approve the minutes of November 4, and November 18, 2003, all were in favor.**

Highway Superintendent, Wes Moore, reported that the night shift will begin soon and the crew is readying the equipment for winter. He has taken delivery of 4500 gallons of liquid calcium to aid in the melting of ice on the roads. He has used 1740 gallons to date.

Code Enforcement Officer, Al Schmidt, submitted the Building Inspectors report. They have issued six permits.

The board received a report from the town Justice Department.

The Assessor's Clerk, Cindy Moore, reported that their department is working on updating exemptions.

Police Department reported that they have handled forty-eight complaints.

Attorney, Tal Rappleyea, reported that a representative of Guarantee Towers contacted him and they have provided him with an address to remit the money currently held in escrow. Their request has been honored.

He is currently waiting for a contract from the Schoharie Humane Society. They have verbally agreed to handle our stray dogs at a rate of \$50 if kept for five days and \$75 if kept otherwise. Our previous contract with Columbia-Greene Humane Society was \$250/\$305.

He has reviewed the plats for Durham Woods subdivision and stated that everything appears to be in order. It is his recommendation that the board approve the plats.

The board received the Dog Control Officer's report.

Tax Collector, Charles Soderblom, reported that his office is currently preparing for the 2004 tax season and is waiting for notification from the county that the bills are prepared and ready to be picked up.

Durham Chamber of Commerce representative, Jim Cullie, reported that the Durham Children's Christmas party will be held December 20, 2003 from 12 to 3 p.m. at the Durham Ambulance Training Center. Many activities are scheduled for the resident youth up to sixth grade.

Historic Preservation representative, Jim Cullie, reported that the committee has been working with the Code Enforcement Department and the owners of the three parcels in the hamlet of Oak Hill that have been identified as hazardous have been notified that they are slated to be demolished. Two of the property owners have been cooperative with the Code Enforcement Officer and Historic Preservation Committee in trying to rectify the condition of the buildings without having to tear them down. The third owner has been reluctant to see the urgency of the situation. **Mr. Hulbert made the motion seconded by Mrs. Sutton that this owner be sent a letter, outlining the expense and responsibility (to the owner) involved in the demolition procedure, all were in favor.**

Legislator Ohm explained that the county offices are about to move into the new building on Main Street in Catskill. They have taken steps to keep things running smoothly but we should still expect that there would be some confusion. He welcomed the new supervisor elect and wished him well during his term.

The board received a request from the Justice Tirpak and Court Clerk Brett to attend a seminar in NYC. The rising cost of the training as well as alternative options were discussed, i.e.) other locations, limits, training policies etc. No decision was reached and the board requested that the Justices attend the next meeting to discuss the particulars of the training offered.

The town received a letter from the Department of Transportation approving the speed limit on Old Plank Road. The road is currently improperly signed and requested that a 40 mph sign be posted as outlined in the letter. The Highway department had not received the correspondence but will correct it as directed in the letter.

Mr. and Mrs. Woodworth asked for clarification on the septic system law as it pertains to new systems. It was explained that the law has been on the books for years however, until last year the law was not enforced. The law is enforced by the NYS Department of Health and states that a new septic system must be perk tested and designed by an engineer. The town Code Enforcement and Building Inspectors are not authorized to approve new septic systems otherwise. The Woodworth's stated that they had made inquiries in the surrounding towns both in Greene County and Albany County and found that in these towns the Code Enforcement Officer and the Building Inspector are still approving the new septic systems. Mr. Hulbert explained that in Albany County, they have their own Department of Health and that is who is approving the new septic systems. As Greene County does not have its own DOH, NYS DOH governs us. The Woodworth's explained that they are

concerned with the cost of having an engineer design the septic systems. They have a friend who was charged \$800 for a perk test, by the engineer who looked at her property, and was told that the system would cost approximately \$40,000 and did not provided her with a design. The board explained that this situation was not the normal; as they understand the average cost is \$3,000 to \$10, 000 and should include the perk test and a set of designs.

Jim Karkheck referenced an article from the Albany Times Union pertaining to the property values in and around the Capital District. Since 2002, the sale of homes has doubled and the median price is up 52%. Greenville was listed as the hottest spot in the Capital District. As they are predicting that 2003 will be even hotter, it is important to point out the need for a good assessor in the town.

**Mrs. Sutton made the motion seconded by Mr. Hulbert to enter into executive session to discuss a personnel matter at 8:15 p.m.**

**The regular session was called back to order at 8:29 p.m.**

The organization meeting was scheduled for January 2, 2004 7:30 p.m.

**Mr. Hulbert made the motion seconded by Mrs. Sutton to authorize Mr. Soderblom to sign the plats for Durham Woods Development, all were in favor.**

**Mr. Elpel made the motion seconded by Mr. Hulbert to have the locks changed on the Town office building.**

**Mrs. Sutton made the motion seconded by Mr. Elpel to provide supervisor elect Hulbert with a cell phone.**

**Mrs. Sutton made the motion seconded by Mr. Hulbert to approve the following transfers:**

FROM:	A1220.210	SUPERVISOR EQUIPMENT	(\$100.00)
TO:	A1220.410	SUPERVISOR CONTRACTUAL	\$100.00
FROM:	A3510.410	DOG ENUMERATION	(\$1,295.00)
TO:	A3510.400	DOG CONTROL	\$1,295.00
FROM:	A3620.200	SAFETY INSPECTOR EQUIPMENT	(\$200.00)
TO:	A3620.400	SAFETY INSPECTOR CONTRACTUAL	\$200.00
FROM:	A1990.400	CONTINGENT, CONTRACTUAL	(\$9,771.37)
TO:	A1420.400	ATTORNEY CONTRACTUAL	\$1,031.25
TO:	A8810.400	CEMETARIES CONTRACTUAL	\$13.12
TO:	A9010.800	NYS ERS RETIREMENT-EMP BENEFIT	\$7,749.00
TO:	A9015.800	NYS P/F RETIREMENT-EMP BENEFIT	\$978.00
FROM:	DA5110.400	MAINTENANCE OF ROADS	(\$1,960.59)
TO:	DA5130.400	MACHINERY	\$1,960.59
FROM:	DA9060.800	EMP BENEFIT-HOSPITAL INSURANCE	(\$5,801.00)

TO:	DA9010.800	EMP BENEFIT-RETIREMENT	\$5,801.00
FROM:		HIGHWAY SURPLUS	(\$4,000.00)
TO:	DA5142.400	SNOW REMOVAL	\$4,000.00
FROM:		STREET LIGHTING SURPLUS	(\$90.69)
TO:	SL5182.01.400	EAST DURHAM #1	\$38.59
TO:	SL5182.02.400	EAST DURHAM #2	\$38.59
TO:	SL5182.03.400	DURHAM #3	\$13.51
FROM:	A7110.400	PARKS CONTRACTUAL	(\$1,000.00)
TO:	A7310.410	YOUTH PROGRAM CONTRACTUAL	\$1,000.00

Abstract # 323, consisting of Vouchers #911 through # 970 in the amount of \$62,964.17 were reviewed and approved for payment. The total amount was broken down as follows:

General Funds	\$31,140.45
Highway Funds	\$31,301.91
Street Lighting	\$ 521.81

Mr. Elpel made a motion seconded by Mrs. Sutton to adjourn the meeting at 8:55 p.m.

Minutes approved:

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Chris Kohrs, Deputy Town Clerk