

Minutes of the Regular Meeting of the Town Board of the Town of Durham held March 21, 2006 at the Town Building in Oak Hill, NY.

Present:
Gary Hulbert - Supervisor
Robert Elpel – Councilman
Linda Sutton – Councilwoman
Jodi Wood – Councilwoman
William Carr – Councilman

Recording Secretary **Chris Kohrs –Deputy Clerk**

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

Supervisor Hulbert called the meeting to order at 7:33 PM. There were 23 people present.

Mr. Elpel made a motion seconded by Mrs. Sutton to approve the minutes of February 7, 14, 21 and 28, 2006. All were in favor, motion carried.

Mr. Hulbert announced that the county adopted Local Law #2 of 2006 increasing the maximum exemption allowable for Veterans' Real Property Tax exemption under section 458-A of the Real Property Tax Law . . . Section 1 The maximum exemptions allowable from county real property taxation pursuant to Section 458-a of the Real Property Tax Law shall be eighteen thousand dollars (\$18,000), twelve thousand dollars (\$12,000) and sixty thousand dollars (\$60,000), respectively. Section 2 Any such real property tax exemption will apply on assessment rolls completed based upon taxable status date March 1, 2006 and after. Section 2 This local law shall take effect immediately upon its filing with the Secretary of State.

There will be a public hearing April 4, 2006 at 7:30 p.m. at the Durham Town Hall for the Veterans' Exemption to be adopted at the Town Level.

Wes Moore reported on Highway Department. He has had an additional 91.47 tons of salt delivered to finish out the winter. The highway crew has been hauling 2 types of crushed stone in preparation of the summer road repairs as well as removing dead trees along the town roadways.

Mr. Moore submitted a funds change request to transfer funds from \$23,625 from the Mansard Avenue (DA-5112-1.257) project and apply \$10,000 to Hervey St Sunside (DA-5112-1.232) and \$13,625 to Sealing (DA-5112-1.231). **Ms. Wood made the motion to approve the transfer as requested seconded by Mrs. Sutton, all were in favor, motion carried.**

Mr. Moore explained that every time a speed limit posting is approved it costs the town \$958.78 to properly sign the road. With the increasing requests and approvals, it is causing him to go over in this area of his budget.

The Building Department report issuing the following permits: 1 – septic, 2 – demolition, 1 – certification, 5 - CO's, 2 – CC's. 7 – Building Permits.

The board received a report from the judges.

Sergeant Sutton reported that his department handled 28 complaints, 2 accidents, 4 check the welfare, 2 MHL, 1 burglary and 1 arrest for the month.

Mr. Soderblom reported that the tax collector has collected \$2,196,156.29 to date and \$646,777.08 is still unpaid.

Nan Stolzenburg gave each board member the revised draft of Part I: Town Inventory, Profile, Vision and Goals - Comprehensive Plan for the Town of Durham. All changes submitted to her have been entered. She is still waiting on information from the Police Department and a list of historic sites from the Historical Commission.

The board agreed to change the individual business list, which dates the plan, to a colorful description of the various opportunities offered in the Town of Durham. Ms. Stolzenburg will prepare the description and submit to the board. Once approved a public meeting will be scheduled to gather input on the vision and goals outlined in the draft. Notices will be posted and sent to the residents; copies of the draft will be available for public review.

Supervisor Hulbert recommended to the board that David Cunningham be appointed Building Inspector for the balance of 2006 at an annual salary of \$10,000 effective April 1, 2006. **Mrs. Sutton made the motion seconded by Mr. Elpel to approve the recommendation of the Supervisor to appoint David Cunningham as Building Inspector. All were in favor the motion carried.**

Supervisor Hulbert read correspondence received from Milestone Communication that they have been purchased by Home Entertainment Company, locally known as Mid-Hudson Cable.

Ms. Wood made the motion seconded by Mr. Carr to approve the following resolution:

A RESOLUTION OF THE TOWN OF DURHAM, APPROVING THE PLAN FOR A COMMUNITY INFORMATION CHANNEL ON THE CABLE TELEVISION SYSTEM AS PROPOSED BY HOME ENTERTAINMENT COMPANY.

WHEREAS, Milestone Communications, L.P. (“Milestone”) owns and operates the cable television system (“System”) serving the Town of Durham (“Town”), in accordance with a cable franchise (“Franchise”) granted by the governing body of the Town.

WHEREAS, Milestone and Home Entertainment Company (“Home Entertainment”), an affiliate of Mid-Hudson Cablevision, Inc. are parties to an Asset Purchase Agreement (“Agreement”) under which the System and Franchise will be sold to Home Entertainment.

WHEREAS, in accordance with the Franchise, Milestone and Home Entertainment have provided notice to the Town of the Agreement and sale of the System and Franchise.

WHEREAS, Home Entertainment has proposed a plan to manage a shared community information channel on the System and has requested the Town's consent with respect to such plan.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN AS FOLLOWS:

Section 1. Following the sale of the System to Home Entertainment, Home Entertainment may (i) assume management of the current community information channel (channel 16), may relocate that channel, and may operate a shared community information channel with other communities served by the System and (ii) continue to post government and community messages for the Town on the channel as reasonably requested by the Town (collectively, the "Community Channel Plan").

Section 2. The Town consents to the Community Channel Plan

Section 3. This Resolution shall have the force of a continuing agreement between the Town and Home Entertainment, and neither party may amend or otherwise alter this Resolution without the consent of the other party.

Supervisor Hulbert provided the board with an update of the Comprehensive Plan and the East Durham Project. The estimated cost for the Comprehensive Plan is at \$24,000. The Town has received \$7,500 grant from the Greenway and \$10,000 from Senator Seward leaving an open balance of \$6,500. The estimate for the Strategic Action Plan is \$30,000. The town has received \$15,000 from a TA Grant and is seeking funding for the remaining \$15,000.

A representative of Frazier Associates was in the hamlet of East Durham taking pictures for the preparation of the Town's Strategic Plan. This plan along with the income survey, to be completed in early summer, will be used as a tool to obtain grants to fund our proposed East Durham main street revitalization project.

Input and assistance will be crucial to the success of the plan and project. Supervisor Hulbert asked for community volunteers to assist; Sanchie Thompson volunteered.

Supervisor Hulbert read a letter from the Mohawk & Hudson Rive Humane Society confirming our agreement for shelter services for 2006.

Attorney Rappleyea reported that he has been working with the Highway Supervisor and the Allan family on a survey to abandon the property previously owned by the town and revert the property to the Allan family on the west side of Allan Teator Road. The survey also shows the property owned by the Allan family and currently used by the Town of Durham for the new roadway, which is to be conveyed to the town. The board asked for a letter from the Allan family requesting that this property be transferred.

Mrs. Sutton made a motion seconded by Mr. Carr to approve the resolution to abandon the old roadway where it crossed the arch bridge on Allan Teator Road subject receipt of the letter of request from the Allan family. All were in favor the motion carried.

Mrs. Sutton made a motion seconded by Mr. Carr to approve the resolution for the land swap between the Town of Durham and the Allan family. All were in favor and the motion carried.

Mr. Rappleyea reported that he had met with Mr. and Mrs. Reddick to review the documentation on the town's abandonment of Abitz Road. He explained that the road was abandoned by the town in 1990 according to the laws in effect at that time. M/M Reddick state that they had not received notification of the abandonment. Mr. Rappleyea explained that the laws of that time did not require notification. Mr. Rappleyea explained that Abitz Road has been legally abandoned and is a private road. Mrs. Reddick would like to change the name from Abitz Road to Reddick road. She was instructed to make an application for name change with the 911 coordinator. Their office will in turn contact the town for approval.

Supervisor Hulbert read public notice that the Report of the Supervisor for the Town of Durham for 2005 is on file with the Town Clerk should anyone wish to review.

Mrs. Sutton made a motion seconded by Mr. Elpel to approve the following transfers:

FROM:	A1680.404	CENTRAL DATA - COMPUTER	\$	27.00
TO:	A1680.405	CENTRAL DATA - FAX		
FROM:	A1990.400	CONTINGENT	\$	328.00
TO:	A5132.411	GARAGE - 911 SIGNS		
FROM:	A1990.400	CONTINGENT	\$	2,418.00
TO:	A9040.8	WORKERS COMP		
FROM:		HIGHWAY SURPLUS	\$	2,825.00
TO:	DA9040.8	WORKERS COMP		
FROM:	A1355.400	ASSESSMENT - CONTRACTUAL	\$	100.00
TO:	A1355.200	ASSESSMENT - EQUIPMENT		
FROM:	A1990.400	CONTINGENT	\$	100.00
TO:	A3310.400	TRAFFIC CONTROL		

Abstract #604, consisting of 2006 Vouchers #117 through #239 for \$15,666.46 was reviewed and approved for payment. The total was broken down as follows:

Trust & Agency	\$ 15,666.46
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Abstract #605, consisting of 2006 Vouchers #240 through #303 for \$66,997.56 was reviewed and approved for payment. The total was broken down as follows:

General Funds	\$ 17,815.13
Highway Funds	\$ 48,608.43
Street Lighting	\$ 574.00

Ms. Wood made the motion seconded by Mr. Elpel to adjourn at 8:50 p.m.

Minutes approved:

Chris Kohrs, Deputy Town Clerk