

Minutes of the Work Session of the Town Board of the Town of Durham held June 6, 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 Town Clerk**

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

Supervisor Hulbert called the meeting to order at 7:35 PM. There were 32 people present.

Mr. Hulbert asked the board to consider implementing a no smoking policy at the Town Parks. This topic will be discussed at the next meeting.

Supervisor Hulbert announced there would be a sales tax sharing meeting in Catskill. Mr. Carr commented that he would like additional information before he could offer an opinion on this topic. Supervisor Hulbert will follow up.

There will be a meeting June 27, at 7:30 for the board to work on the comprehensive plan.

Supervisor Hulbert closed the workshop at 7:38 p.m. and opened the public hearing for Eric and Roberta Molter. There were no comments from the audience. The public hearing closed at 7:41 p.m. and the workshop reopened. **Mr. Elpel made the motion to approve the Molter subdivision seconded by Mrs. Sutton. All were in favor the motion carried.**

Supervisor Hulbert closed the workshop at 7:45 and opened the public hearing for Jennifer and Anthony Olivett. There were no comments from the audience. The public hearing closed at 7:50 p.m. and the workshop reopened. **Mr. Elpel made the motion seconded by Mrs. Sutton to approve the Olivett subdivision. All were in favor the motion carried.**

Supervisor Hulbert closed the workshop at 7:54 and reopened the public hearing for Good Tidings (continued from April 4, 2006). Representatives for the buyers presented the board with a packet addressing the nine items of concern presented at the April meeting. A member of the audience asked if the common use road leading across the proposed subdivision to the property owned by the Mt. Nebo Hunting Club would remain accessible. There was also concern with the numbers used to estimate the runoff potential in a hundred year storm event, perhaps they should be adjusted. The public hearing was suspended until July 5, at 7:30 p.m.

Supervisor Hulbert reopened the workshop at 8:44 p.m.

The board reviewed the site plan application for NYAIR.NET (Surferz.net). Pictures were offered showing that the tower would not have a significant negative impact on the view

shed. The tower will provide wireless high-speed internet service to the majority of the town. Mr. Carr commented that though the tower will have a minimal visibility impact the benefit received by the residents of the town was worth it.

**Mr. Carr made the motion to accept the SEQR report submitted by Surferz.net seconded by Ms. Wood. All were in favor the motion carried.**

**Mr. Carr made the motion to approve the Site Plan Application submitted by Surferz.net seconded by Mrs. Sutton. All were in favor the motion carried.**

The time line for completed construction is dependent on Central Hudson. Mr. Karkheck offered a contact number for Central Hudson. Supervisor Hulbert can contact Central Hudson and urge them to schedule this project as soon as possible.

The board reviewed the site plan application for Lisa and Ed Cirillo. They would like to build a truck garage on their property located at 3590 Route 145 (22.00-4-2) next to the Creekside Tavern. A public hearing was set for July 5, 2006 at 7:30 p.m.

No decision was made regarding the renaming of Abitz Road. Mr. Bocklett, whose property is adjacent to the road, has expressed an objection to the renaming of the road. The topic will be discussed at the July 18 meeting.

**Ms. Wood made the motion to approve a waiver for a 30 day notice rider for new applications with the NYS Liquor Authority, seconded by Mr. Carr. All were in favor the motion carried.**

The board approved a \$50.00 ad in the Annual Greene County Volunteer Firemen's Convention Ad booklet.

The town has received notification from DEC that a permit has been issued to Charles Bocklett to repair the dam to his pond that collapsed two years ago. Concerns were raised as to whether it was in the best interest of the town to allow the work to commence. Tal Rappleeya will check into what jurisdiction the town has over a project of this complexity and potential harm that could come to the town's residents should the dam fail again.

Supervisor Hulbert is in receipt of the booklet for the Transportation Enhancement Program from DOT.

Dr. Goldstein asked the board to approve the Durham Valley Land Trust to act as an agent for the town to purchase conservation easements along the scenic roads in the town of Durham. There are three potential easements. The DVLTL would contribute the 20% matching funds. The town would need to be the prime contractor and could designate the DVLTL as the sub contractor for the project. The DVLTL would hold the easements on behalf of the town. The projected cost for the easement procurement is approximately ½ million which could be spread out and each easement could be purchased as a separate transaction. Once the application is approved, the town would need to establish a line of credit with a financial institution. The town would need to pay for the acquisitions and then be reimbursed from the state through the Transportation Enhancement Program DOT.

**A RESOLUTION IN SUPPORT OF THE DURHAM VALLEY LAND TRUST'S  
APPLICATION TO THE SCENIC BYWAYS PROGRAM**

At a regular meeting of the Town Board of the Town of Durham held on June 6, 2006, Mrs. Sutton offered the following resolution and moved its adoption:

**WHEREAS**, the Association for the Preservation of the Durham Valley assessed the scenic quality, documented and inventoried the cultural, historic, and geomorphic qualities of the New York State designated scenic byways in the Town of Durham, and

**WHEREAS**, the Board of the Town of Durham passed the Scenic Roads Resolution on August 30<sup>th</sup>, 1989 nominating these same roadways to the State of New York for consideration as Scenic Roads by the State of New York, and

**WHEREAS**, the New York State Department of Environmental Conservation designated these roads as New York State Scenic Roads, and

**NOW, THEREFORE, BE IT RESOLVED** that the Durham Town Board enthusiastically supports the creation of a Corridor Management Plan to better manage the resources of the Byway and specifically to increase access to the byway through promotion and marketing, enhance the byway experience through interpretation, provide a safe byway experience, and preserve the intrinsic qualities that make the byway experience possible, and

**BE IT FURTHER RESOLVED** that the Town Board of the Town of Durham enthusiastically supports the Durham Valley Land Trust application to the Scenic Byways Program for a grant in support of the creation of Corridor Management Plan.

Mr. Carr seconded the motion.

Voting was as follows:

Ayes 4 (Hulbert, Carr, Elpel, & Sutton)  
Noes 0  
Absent 1 (Woods)

At 9:55, Mr. Carr motioned to enter into executive session to discuss a personnel matter.

At 10:28, Supervisor Hulbert called the workshop back to order.

**Ms. Wood motion to adjourn at 10:30 seconded by Mr. Carr.**

**Minutes approved:**

---

Chris Kohrs, Deputy Town Clerk