

Minutes of the regular meeting of the Town Board of the Town of Durham held July 15, 2008 at the Town Building in Oak Hill, NY.

Present: Gary Hulbert - Supervisor
Linda Sutton – Councilperson
Jerry Cunningham – Councilperson
Jodi Wood – Councilperson

Absent: William Carr – Councilperson

Others: Tal Rappleyea-Town Attorney
Wes Moore-Highway Superintendent

Secretary: Chris Kohrs – Town Clerk

Supervisor Hulbert called the meeting to order at 7:30 p.m. Twenty-two people were present.

Ms. Wood motioned to accept the minutes of June 3 and June 17, seconded by Mr. Cunningham. All were in favor motion carried. (Absent: Carr)

Highway Superintendent Moore reported that the highway crew has completed most of the oil and stonework for the season. Hervey St and Hervey Street Sunside Road, Golden Hill Road from the bridge to County Route 20, Pine Woods, Sherwood Forest and Enchanted Valley Road we completed under the Chips Program. They continue to clean ditches, trim, as well as replace a few driveway culverts. Carver Sand and Gravel is hauling in snow sand at \$6 per yard for product and \$5 per yard for hauling. It would have cost the town \$5.85 per yard to haul.

Highway Superintendent Moore requested permission to postpone the addition to the sand/salt building as the cost has increased substantially from the May bid of \$38,000. He is requesting to take the \$25,000 set aside in the budget for the sand/salt building project and use the funds to repair the parking lot. Approximately half the driveway has returned to a dirt surface from wear and tear. He is proposing to remove the remainder of the black top, repair the sub base and repave the yard. He has the materials for the sub base, has received quotes from Carver Sand, and Gravel \$64,000 and Peckham Material \$94,000. To motor pave the yard using Peckham paver with our product and their oil the cost would be \$29,695. With the \$25,000 from the salt/sand building, the remainder would cost approximately \$4,695.

Mr. Cunningham motioned to approve repair of the parking lot between the Salt Shed and the Highway garage at an estimated cost of \$29,695 from Peckham Material using the funds set aside for expansion of the Salt/Sand building, seconded by Ms. Wood. All were in favor motion carried. (Absent: Carr)

Highway Superintendent Moore requested permission to replace the 1,000-gallon underground heating fuel tank. He would like to replace it with a 1,000 gallon above ground fuel tank. He has received quotes from Highland Tank & Mfg \$3,977 and Northeast Petroleum Technologies Inc. \$4,458.13 (includes fittings and piping to have the tank ready to use). The current tank has fuel between the outer wall and the interior wall. It will cost an estimated \$2,500 to hire a company to work with us to remove and

clean out the old tank, take soil samples to be tested for contaminants, report findings and certify the tank removal complied with DEC regulations.

Ms. Wood motioned to approve the purchase from Northeast Petroleum Technologies Inc. for \$4,458.13 a 1,000 gallon above ground fuel tank and removal of the existing 1,000-gallon tank in accordance with DEC regulations. Motion seconded by Mrs. Sutton all were in favor motion carried. (Absent: Carr)

Proof of notice having been furnished the public hearing for the JJ's Café Site Plan Application SPR08-07 was called to order at 7:12 p.m. by Supervisor Hulbert.

Supervisor Hulbert explained that the project was completed. The applicant understood if the project was less than \$20,000 or fewer than 1,500 sqft architectural drawings were not required. He also brought some concerns with the project to the attention of the Building Inspector to address with the applicant.

All persons desiring to be heard, having been heard, the Hearing closed at 7:48 p.m. and the meeting reconvened.

Ms. Wood moved to approve the Site Plan Review Application for JJ's Café SPR08-07 contingent upon the building inspector and the applicant correcting the concerns brought to light by the Supervisor. Mr. Cunningham seconded the motion, all were in favor motion carried. (Absent: Carr)

Mrs. Sutton motioned to approve new members James Haugh (active) and Larry Salisbury (junior) to the East Durham Vol. Fire Co. seconded by Mr. Cunningham. All were in favor motion carried. (Absent: Carr)

Sgt. Sutton explained that starting 8 a.m. Wednesday, July 16 the Grey Fox Bluegrass liners will begin their caravan from Allan Teator Road to the Walsh Farm in groups of 20. Music for the festival will start at noon on July 17.

Building department reported issuing the following permits: 4-septic, 5-addition/alterations, 1-demo, 1-deck, 2-site plan reviews, 2-mobil homes, 1-truss, 1-modular.

NYS Department of State Building code pertaining to architectural drawings was reviewed. The building permit application will be corrected to read the following:

All residential plans to be stamped by architect or engineer licensed by the State of New York, (for buildings over 1,500 sqft) All commercial plans to be stamped by architect or engineer unless project is less than \$20,000.

Notification was received for speed limit reduction on Niles Road/Lee Road to 45 mph and Camp Medusa/Saybrook Hill Road to 40 mph.

Mr. Cunningham motioned to approve the Mass Gathering Permit MGP08-02 Blue Grass Festival for July 17-20, 2008 seconded by Mrs. Sutton. All were in favor motion carried. (Absent: Carr)

Received an invitation from Sally Sharkey, Cairo-Durham School Superintendent to attend the first annual Neighborhood Support Meeting on July 31, 2008 at 2:30 p.m. Members of the board are very interested in the project; however, do to the time of the meeting they are not able to attend. The Clerk will send a letter of explanation.

The acting Code Enforcement Officer is Supervisor Hulbert and the COE from Greenville as needed.

Oak Hill Preservation Committee will hold the Annual Oak Hill Day Saturday, July 26 from 9 a.m. to 4 p.m. They are raising funds to aide in the restoration of the Durham United Methodist Church. Many events are planned including bake sale, dinner, yard sales; the 77th Balladeers will pay tribute to the 200th birthday of President Lincoln etc.

Councilman Cunningham discussed his concerns regarding zoning or no zoning. He would like to research the topic emphasizing that he is not stating he is in favor of zoning only that it should be examined as more and more development is entering the county. Additional discussion followed.

Bill Nolan of Oak Hill requested increase presence in the village of Oak Hill to enforce the speed limit.

Mrs. Sutton motioned to approve the following transfers, seconded by Mr. Cunningham. All were in favor motion carried. (Absent: Carr)

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| FROM: | | General Surplus | \$ | 1,134.00 |
| TO: | A5132.207 | Building Contractual | | |
| FROM: | | General Surplus | \$ | 500.00 |
| TO: | A7410.400 | Library Contractual | | |

Abstract #812, consisting of 2008 Vouchers #562 through #575 for \$15,543.71 was reviewed and approved for payment. The total was broken down as follows:

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|----------------|----|-----------|
| General Funds | \$ | 648.50 |
| Trust & Agency | \$ | 14,895.21 |

Abstract #813, consisting of 2008 Vouchers #576 through #622 for \$16,1187.53 was reviewed and approved for payment. The total was broken down as follows:

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|-----------------|----|------------|
| General Funds | \$ | 24,189.39 |
| Highway Funds | \$ | 136,365.66 |
| Street Lighting | \$ | 632.48 |

Ms. Wood motioned to adjourn at 9:10 p.m. seconded by Mrs. Sutton.

Minutes approved:

Chris Kohrs, Town Clerk