

A REGULAR MEETING, TOWN OF DURHAM, JUNE 21, 2011

A meeting of the Town Board of the Town of Durham, County of Greene and the State of New York was held at the Town Hall, 7309 State Route 81, East Durham, NY on the 21ST, day of June.

PRESENT:	Gary Hulbert	----	Supervisor
	Linda Sutton	----	Councilperson
	Jerry Cunningham	----	Councilperson
	Jodi Wood	----	Councilperson
	Chris Kohrs	----	Town Clerk

ABSENT:	William Carr	----	Deputy Supervisor
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Others present Alan Beechert-Highway Superintendent, David Cunningham-Building Inspector, Thomas Sutton-Police Sgt., Patti Handel-Greene County Legislator, Nick Nahas-Historian Tal Rappleyea-Attorney and 10 community members.

The Supervisor called the meeting to order at 7:31 PM with the pledge to the flag.

Resolution 2011-11 in memory of Laurence H Cooke.

Councilman Wood offered the following resolution.

WHEREAS, Laurence H Cooke has served as Code Enforcement Officer for the Town of Durham for two years, therefore

BE IT RESOLVED that we the Town Board of the Town of Durham respectfully submit to the Divine Will of Almighty God by his calling to himself of Laurence H Cooke, who served this Town conscientiously and well, always putting the affairs of his fellow man before all thought of self. He conducted himself in all Board matters with kindness and humility but with firmness of purpose. In the passing of Laurence H Cooke, the Town of Durham loses a good citizen. We extend to the members of his immediate family our heartfelt sympathy in their bereavement.

Seconded by Councilman Sutton and carried.

The foregoing resolution was duly put to a vote and was carried and resulted as follows:

ROLL CALL:

	<u>AYE</u>	<u>ABSENT</u>
Supervisor Gary Hulbert	X	
Councilperson Jerry Cunningham	X	
Councilperson Jodi Wood	X	
Councilperson Linda Sutton	X	

Councilperson William A. Carr, Jr.

X

The resolution was thereupon declared adopted.

Rich Lendin, Durham Rescue reported they were dispatched to 45 calls in May. Twenty-two transported, twelve RMA's (3 on the same call), six canceled, two fire standbys, two helicopter transports, one transferred to Greenville Rescue and two were turned over to another squad as first squad was already out and second ambulance was out of service. Year to date they have been dispatched to 179 calls.

Both ambulances are now in service. They are waiting to hear back from Dan Flood regarding the status of the helicopter pad next to the squad building. They will staff both ambulances for the Grey Fox Blue Grass Festival July 15-17. One ambulance will go to the Greene County Youth Fair and the second ambulance will cover the town.

Ms. Wood motioned to approve the minutes of May 3 and 17, seconded by Mrs. Sutton all in favor motion carried. (4-Yea, Hulbert, Sutton, Cunningham, Wood; 1-absent, Carr)

Mr. Hulbert announced there will be a memorial service Sunday, May 26, 2:30 p.m. at the Preston Hollow Baptist Church for Laurence "Larry" Cooke.

Chris Kohrs reported the Durham NY Chamber Balloon Festival was considered a success. An estimated 1500 people attended during the course of the day. There were vendors, games, raffles, demonstrations and food. Forty-two people participated in the tethered balloon on Saturday evening. Many thanks were extended to those who were instrumental in organizing the event. Michael Caccavale-balloonist and organizer, Nolan Propane-donated all the propane, Glaxo Smith Kline and Delaware Engineering for their financial support which enabled the event to remain free to the participants. East Durham Vol. Fire Co and Ladies Aux for providing breakfast for the balloonists, Oak Hill Durham Fire Co for fire prevention, cotton candy and popcorn. Durham Rescue for blood pressure screening. Carly Agostinoni, and Sydney Kohrs for entertaining the youth and Nancy Burke selling raffle tickets.

Legislator Handel reported she has been in contact with Assemblyman Lopez regarding the East Durham sidewalk project. He is not hopeful for immediate action as it is a state highway and the funding from the state is very tight. The Jefferson Heights project in Catskill was mostly federally funded with some from the state and 5% local. Gary Harvey with Greene County Economic Development and Assemblyman Lopez will continue to search for funding opportunities.

Highway Superintendent Beechert reported the crew has been hand patching with black top, cleaning ditches preparing for the paving projects. Wes Moore donated 750 yards of gravel which was used to level the yard near the sand building.

Two thunderstorms in May caused tree damage around the town and the crew had things cleaned up by the end of the next day.

Someone keeps stealing road signs. He has had to replace Jennings, Woodard, Dunn and Hervey Sunside Road and within a week of replacing Jennings and Sunside they were stolen again. The signs cost \$40 each.

He attended the Highway Superintendent's conference June 5-7th where the main topic was storm water management; expect to hear more on this in the near future.

Of greater concern is the mandate from the Federal and State Highway Administration regarding road sign reflectivity and compliance by January 2012. All signs need to be inventoried and their reflectivity rated. Those not in compliance will need to be replaced by 2015. The reflectivity used in signs today only lasts 12 years. The cost for new signage is \$110 not including the post. He estimates he has 700 signs and the estimated replacement cost is \$75,000 to \$80,000 over the next four years. Every time we change a speed limit or special signage is requested it will increase our inventory, the signage line item is maintained in the general budget. At budget time we will need to adjust that line item to reflect the cost of replacing the signs. Discussion followed with suggestion that we contact our representative and express the unfunded mandate and hardship it will cost the town.

Mr. Beechert also reported that due to a bidding war the cost of oil is going down and requested permission to take advantage of this and add Paddock & Jennings Road to the list of roads to oil and stone this year. Mr. Beechert requested permission to transfer \$10,000 from the road maintenance fund to the sealing account. Board will transfer at next meeting.

Building Inspector Cunningham reported issuing five permits, 3-additions, 1-deck and 1-demolition; issued 3-certificates of occupancy and 3-certificates of compliance.

Ms. Wood motioned to extend the temporary certificate of occupancy for Blackthorne Resort seconded by Mrs. Sutton, all in favor motion carried. (4-Yea, Hulbert, Sutton, Cunningham, Wood; 1-absent, Carr)

Mrs. Sutton motioned to advertise for the position of Code Enforcement Officer, seconded by Mr. Cunningham, all in favor motion carried. (4-Yea, Hulbert, Sutton, Cunningham, Wood; 1-absent, Carr)

Mr. Cunningham motioned to appoint Mike Mineale, CT Male as the Code Enforcement Officer for the Stiefel's Glaxo Smith Klein project until the town fills the position. Motion seconded by Mrs. Sutton all in favor motion carried. (4-Yea, Hulbert, Sutton, Cunningham, Wood; 1-absent, Carr)

The board received the judges' reports.

Assessor Bennett will reschedule his presentation as he is sick.

Sgt. Sutton reported his department was dispatched to forty-two calls in May.

Attorney Rapplelea reported he has completed the environmental paper work for the Stiefel's/Glaxo Smith Klein project. The county has no record of receiving the Green Bee Green House Site Plan Application. Mr. Rapplelea will resubmit.

Clerk/Collector Kohrs reported \$527,614.98 is still uncollected. Warrant was decreased by \$2,624.65 as instructed by the Greene County Treasurer's Office. There was a school relevy that should not have been.

Historian Nahas reported the Oak Hill Cemetery has been added to the National Register of Historic Places. Twenty people attended the cemetery restoration workshop. The Oak Historical Society will host a free movie night July 3 at the Oak Hill United Methodist Church.

Mrs. Sutton motioned to issue a temporary Certificate of Occupancy to Grey Fox Blue Grass Festival to submit with the liquor license application seconded by Ms. Wood all in favor motion carried. (4-Yea, Hulbert, Sutton, Cunningham, Wood; 1-absent, Carr)

Ms. Wood motioned to approve the Mass Gathering Application for Grey Fox Blue Grass Festival with receipt of valid liability insurance certificate, seconded by Mr. Cunningham all in favor motion carried. (4-Yea, Hulbert, Sutton, Cunningham, Wood; 1-absent, Carr)

Ms. Wood motioned to award the following Salt Building bids Concrete to Kurt & Mert Excavation \$15,220.00 (forms & pour labor, rebar & concrete and salt garde), Truss Arches to Cunningham Fencing (trusses and man lift rental, labor by highway department), Blacktop to Carvers 42'x80'x3') and Gates to Cunningham Fencing (fencing, labor by highway department). Seconded by Mrs. Sutton all in favor motion carried. (3-Yea, Hulbert, Sutton, 1-Abstain-Cunningham, Wood; 1-absent, Carr)

Mr. Cunningham motioned to award the following bids for surplus equipment 1995 Ford Dump Truck to Town of Cairo for \$12,001.50; 2003 Cub Cadet Lawn Mower to Sidney Goff for \$405.99 and 1988 International parts truck to Scott Green for \$1050.00 seconded by Mrs. Sutton all in favor motion carried. (4-Yea, Hulbert, Sutton, Cunningham, Wood; 1-absent, Carr)

Noted the 1992 Ford Crown Victoria did not receive any bids.

Received two quick quote bids for paving Stonebridge Road and Mansard Avenue: Peckham \$57.40 per ton in place and Carver \$58.80 per ton in place. **Mrs. Sutton motioned to award the paving bid for Stonebridge Road and Mansard Avenue to**

Peckham for \$57.40 per ton in place seconded by Ms. Wood, all in favor motion carried. (4-Yea, Hulbert, Sutton, Cunningham, Wood; 1-absent, Carr)

Ms. Wood motioned to approve leasing of a school bus from the Cairo-Durham School district for the Annual Irish Arts Week. The cost of the bus and driver to be paid by Michael J Quill Irish Cultural & Sports Centre seconded by Mrs. Sutton all in favor motion carried. (4-Yea, Hulbert, Sutton, Cunningham, Wood; 1-absent, Carr)

Mr. Cunningham motioned pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected for the repair and improvement of highways, and received from the state for the repairs and improvement of highways, shall be expended as follows:

1 GENERAL REPAIRS. The sum of \$202,000 may be expended for general repairs upon 84 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2 IMPROVEMENTS. The following sums shall be set aside to be expended for the improvements of town highways:

a.) On the road commencing at Hervey Street Sunside to Rte 20 (Dunn Road), a distance of 4300 feet, there shall be expended the sum of \$21,000.00

Type	Oil & Stone	Width of traveled surface - 18 feet
Thickness	2 coats	Subbase Existing road pavement

b.) On the road commencing at Shady Glen to Rte 20 (Stonebridge Rd), a distance of 5600 feet, there shall be expended the sum of \$110,000.00

Type	Blacktop	Width of traveled surface - 18 feet
Thickness	3"	Subbase Existing road pavement

c.) On the road commencing at Rte 20 to Rte 145 (Mansard Rd), a distance of 2400 feet, there shall be expended the sum of \$46,000.00

Type	Blacktop	Width of traveled surface - 18 feet
Thickness	3"	Subbase Existing road pavement

d.) On the road commencing at Rte 145 to Woodard (Jennings Rd), a distance of 4900 feet, there shall be expended the sum of \$20,000

Type	Oil & Stone	Width of traveled surface - 18 feet
Thickness	2 coats	Subbase Existing road pavement

e.) On the roads commencing on all Town roads, there shall be expended the sum of \$140,000.00. These improvements will consist of patching, grading, ditching, brush removal, storm damage and any other improvements needed.

No moneys set aside for such improvements shall be expended, nor shall any work be

undertaken on such improvements, until the County Superintendent approves the plans, specifications and estimates for such construction. This agreement shall take effect when it is approved by the County Superintendent of Highways. Motion seconded by Ms. Wood all in favor motion carried. (4-Yea, Hulbert, Sutton, Cunningham, Wood; 1-absent, Carr)

RESOLUTION 2011-12 Town of Durham's Workplace Violence Prevention Policy and Incident Reporting

Offered by Councilperson Sutton, Seconded by Councilperson Wood

WHEREAS the Town of Durham is committed to the safety and security of its employees and workplace violence presents a serious occupational safety hazard to its agency, staff, and the public; and

WHEREAS this policy is designed to meet the requirement of NYS Labor Law 27b and the process involved in complying with this law included a workplace evaluation which was designed to identify the workplace violence hazards to which the Town's employees could be exposed; and

WHEREAS other tools, which were utilized during this process, included establishing a committee made up of management and authorized employee representatives, who will have an ongoing role of participation in the evaluation process, recommending methods to reduce or eliminate the hazards identified during the process and investigating workplace violence incidents or allegations; and,

WHEREAS the goal of this policy is to promote the safety and well-being of all people in the workplace; and,

RESOLVED that threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on the Town of Durham property will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted; and,

RESOLVED that all employees are responsible for helping to create an environment of mutual respect for each other as well as the public, following all policies, procedures and program requirements, and for assisting in maintaining a safe and secure work environment; and,

RESOLVED that all employees will participate in the annual Workplace Violence Prevention Training Program; and,

RESOLVED that all incidents of violence or threatening behavior will be responded to immediately upon notification and that the Town of Durham has identified response personnel, which include a member of management and an employee representative, and

that, if appropriate, the Town of Durham will provide counseling services or referrals for employees; and

RESOLVED that all Town of Durham personnel are responsible for notifying the contact person; namely, the Town Supervisor, of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received; and

RESOLVED, that this Resolution shall take effect immediately.

The foregoing resolution was duly put to a vote and was carried and resulted as follows:

ROLL CALL:

	<u>AYE</u>	<u>ABSENT</u>
Supervisor Gary Hulbert	X	
Councilperson Jerry Cunningham	X	
Councilperson Jodi Wood	X	
Councilperson Linda Sutton	X	
Councilperson William A. Carr, Jr.		X

The resolution was thereupon declared adopted.

Mrs. Sutton motioned to approve the following transfers and pay the bills seconded by Mr. Cunningham all in favor motion carried. (4-Yea, Hulbert, Sutton, Cunningham, Wood; 1-absent, Carr)

FROM:	A-3120.400	Police, Contractual	\$ 220.00
TO:	A-3120.200	Police, Capital	\$ 220.00
FROM:	DA	Surplus	\$ 155,000.00
TO:	DA-5130.200	Machinery Capital	\$ 155,000.00
		Purchase of International Snow Plow	

Abstract #1010, consisting of 2011 Vouchers #493 through #512 for \$188,547.65 broken down as follows:

General Funds	\$ 1,484.00
Highway Funds	\$ 154,045.49
Trust & Agency	\$ 33,018.16

Abstract #1011, consisting of 2011 Vouchers #513 through #583 for \$89,802.47 broken down as follows:

General Funds	\$ 48,517.07
Highway Funds	\$ 40,544.20
Street Lighting	\$ 741.20

Ms. Wood motioned to approve the closing of one lane of Route 145 July 2, for the Independence Day parade, seconded by Mr. Cunningham all in favor motion carried. (4-Yea, Hulbert, Sutton, Cunningham, Wood; 1-absent, Carr)

Ms. Wood motioned to approve setting up a non-interest bearing account for the Stiefel's/GSK Greene County IDA grant seconded by Mrs. Sutton all in favor motion carried. (4-Yea, Hulbert, Sutton, Cunningham, Wood; 1-absent, Carr)

Ms. Wood motioned to advertise for a highway employee seconded by Mr. Cunningham all in favor motion carried. (4-Yea, Hulbert, Sutton, Cunningham, Wood; 1-absent, Carr)

Mrs. Sutton made a motion and Mr. Cunningham seconded to adjourn the meeting at 9:15 p.m.

Minutes approved: _____
Chris Kohrs, Town Clerk