

**A REGULAR MEETING, TOWN OF DURHAM,
FEBRUARY 5, 2013**

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 5TH, day of February.

PRESENT: William Carr ---- Supervisor
Jodi Wood ---- Deputy Supervisor
Jerry Cunningham --- Councilperson
Linda Sutton ---- Councilperson
Nick Nahas ---- Councilperson
Chris Kohrs ---- Town Clerk

OTHERS PRESENT: Alan Beechert-Highway Superintendent, Joe van Holsteyn-Deputy Highway Superintendent, Thomas Sutton – Police Sgt., Tal Rappleyea-Attorney and 7-community members.

Supervisor Carr called the meeting to order 7:30 p.m.

The board members were given a draft copy of a new employee handbook and asked to review and make recommendations at the February 19 meeting.

Gary Harvey presented a subdivision for William Woodworth. Mr. Woodworth wishes to subdivide 4 acres from parcel 48.00-4-35 consisting of 98.78 acres. The intention is to sell the 4-acre lot to the East Durham Vol. Fire Co. A public hearing scheduled for March 5, 2013 at 7:30 p.m.

The board received a Mass Gathering Application from East Durham’s Irish Festival. The dates for the event are May 25 and 26, 2013 and will be held at the Michael J Quill Irish

Cultural Center. The board will review the application packet and discuss at the February 19 meeting.

Supervisor Carr read a memo from Assessor Bennett explaining that his six-year appointment as Sole Assessor will expire on September 30, 2013 and request that the board reappoint him to a six-year term starting October 1, 2013.

Mr. Cunningham motioned to reappoint Mr. Bennett as Sole Assessor for the Town of Durham beginning October 1, 2013 motion seconded by Ms. Wood all in favor motion carried. (5-years, Carr, Sutton, Cunningham, Nahas, Wood)

Supervisor Carr announced the police have received their bulletproof vests; the invoice totaled \$4,775.70. 80% of the cost covered by grants leaving \$795.95.

In addition, Supervisor Carr stated the office copier was replaced as it was starting to be down too often and there was an opportunity to purchase a new copier and receive a rebate through NYSERDA. The cost of the new copier listed for \$10,000, state price is \$4,739.05 and after the rebate from NYSERDA the actual cost will be \$2,200.00.

Supervisor Carr informed the board he instructed Mrs. Moore to look into upgrading/replacing the current town issued cell phones through state contract. The current phones are approximately five years old. The preliminary inquiry is showing that the cost to upgrade/replace will be relatively similar to what we are currently paying.

**RESOLUTION 2013-08 SUPPORT FOR NYS-
CONTACT INFORMATION FOR VACANT
STRUCTURES**

On a motion made by Councilman Sutton, seconded by Councilman Wood, the following was

RESOLVED to support New York State regarding the proposed laws concerning contact information for vacant structures.

WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years; and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties; and

WHEREAS, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party; and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures; and require good faith in obtaining a foreclosure; and

WHEREAS, the Town of Durham Town Board supports the passage of said Bills.

NOW THEREFORE, BE IT RESOLVED that the town of Durham hereby supports the passage of said Bills and respectfully requests that the State Representatives who represents constituents in the Town of Durham support the passage of said Bills.

The Town board will audit the Town Clerk and Court Clerk's books at the March 5 workshop.

Supervisor Carr read the Notice of Permissive Referendum proposing to finance and expend the sum of \$50,000.00 (fifty thousand dollars). (copy attached)

RESOLUTION 2013-06

Subject to a Permissive Referendum To Finance the Balance of the Purchase of a Volvo G930 Motor Grader

WHEREAS, The Town of Durham is desirous of obtaining permanent financing for the purchase of a Volvo G930 Motor Grader, and

WHEREAS, the total amount necessary to complete the said financing is not to exceed \$50,000.00 (Fifty Thousand Dollars), and

WHEREAS, The Town Board of the Town of Durham wishes to complete such financing with a Bond Anticipation Note or Callable Bond Anticipation, whichever is more fiscally prudent based upon the current lending market for the above stated financing,

NOW THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board of the Town of Durham hereby authorizes the execution of any and all documents necessary to complete the Bond Anticipation Note or Callable Bond Anticipation Note by the Town of Durham Supervisor to complete the afore-mentioned financing in an amount not to exceed \$50,000.00 (Fifty Thousand Dollars) at a competitive market rate it is further

RESOLVED, that the foregoing resolution is made subject to a permissive referendum.

Resolution motion made by councilperson Jodi Wood,
Seconded by councilperson Linda Sutton.

ROLL CALL:

	<u>AYE</u>	<u>NAY</u>
Supervisor William A. Carr, Jr.	X	
Councilperson Jerry Cunningham	X	
Councilperson Jodi Wood	X	
Councilperson Linda Sutton	X	
Councilperson Nick Nahas	X	

CARRIED.

Mr. Cunningham motioned to adjourn at 7:56 p.m. seconded by Ms. Wood.

Respectfully Submitted:

Chris Kohrs, Clerk/Collector

Memorandum – Town of Durham

TO: Durham Town Board
From: Gordon W. Bennett, IAO
Date: January 31, 2013
Re: Sole Assessor Reappointment

Having been here since 2001, a fast 12 years have passed. The current term for my appointment expires on September 30, 2013. The next term is from October 1, 2013 to September 30, 2019. The term is a mandatory 6 year term for all appointed Assessor's state wide according to NYS Real Property Tax law.

My employment here in Durham has been both an honor and a pleasure. I would love to continue my employment here and would respectfully request that you pass a resolution reappointing me for the next term.

Thank you for your support, both now and in the past

Gordon W. Bennett, IAO
Assessor, Town of Durham



NOTICE
TOWN OF DURHAM

NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM, PROPOSING TO FINANCE AND EXPEND THE SUM OF \$50,000.00 (FIFTY THOUSAND DOLLARS).

PLEASE TAKE NOTICE that at a Regular Meeting of the Town Board of the TOWN OF DURHAM, Greene County, New York duly called and held at the Town Hall, East Durham, NY on the 5th day of February in the year 2013, it was on motion duly made, seconded and passed,

NOW, THEREFORE IT IS

RESOLVED that a sum of \$50,000.00 (Fifty Thousand Dollars) be financed by way of a Bond Anticipation Note or Callable Bond Anticipation Note, whichever is more fiscally responsible at the current market rate for the purchase of a Volvo G930 Motor Grader, and it was further

RESOLVED that the foregoing Resolution was adopted subject to a permissive referendum,

PLEASE TAKE FURTHER NOTICE that the foregoing resolution shall become effective without action of the Town Board on the 7th day of March in the year 2013 unless a petition requesting that a Referendum thereon be submitted to voters in the manner required by law.

Chris Kohrs Town Clerk
Town of Durham
Dated: February 5, 2013