

Minutes of the Regular Monthly Meeting of the Town Board of the Town of Durham held January 19, 2016 at the Town Hall commencing at 7:30 p.m.

Present: William Carr, Supervisor
Sean Marriott, Deputy Supervisor
Joan Breslin, Council Member

Recording Secretary: Chris Kohrs, Town Clerk

Absent: Jerry Cunningham, Council Member
Nick Nahas, Council Member

Others Present: Joe van Holsteyn-Highway Superintendent,
David Cunningham-Building Inspector,
Cindy Moore- Bookkeeper,
John Van Tassel – Animal Control Officer,
Gordon Bennett-Assessor,
Patti Fetty-Deputy Clerk/Collector,
Maryellen-Assessor’s Clerk,
Tal Rappleyea-Attorney,
Thomas Sutton-Police Sgt.,
Aidan O’Connor-Legislator (8:01)
34 community members.

Upon clarification by Attorney Rappleyea that the new board members can vote to accept minutes of a meeting that took place before they were in office if they feel the minutes are accurate; **Councilmember Marriott motioned to approve the minutes of December 1 & 15 seconded by councilmember Breslin all in favor motion carried.** (3-yeas Carr, Breslin, Marriott – 2-Absent, Cunningham, Nahas)

Durham Ambulance Administrator Rich Lendin gave his report. (See Attached) He added that Greenville Rescue has signed a contract with the Town of Greenville to provide day time ambulance service for their residents beginning February 1, 2016. They board of trustees are looking to cover the night calls and they are considering a per diem compensation plan.

Highway Superintendent van Holsteyn read his report. (See attached)

Councilmember Breslin motioned to approve Highway Superintendent van Holsteyn’s purchase of a bull dozer for \$2,000 from Federal Surplus Equipment seconded by Councilmember Marriott. All in favor motion carried. (3-yeas Carr, Breslin, Marriott – 2-Absent, Cunningham, Nahas)

Building Inspector Cunningham read her report. (See attached)

The board received the Code Enforcement Officer’s report. (See attached)

The board received the Judges’ report. (See attached)

Assessor Bennett explained for the board the process of collecting a scratch inventory for the assessment role. A scratch would consist of mailings to the

property owners explaining that a data collector would be visiting to collect the inventory of the property. The property owner will have the option to not have their property inventoried. The data collector would arrive at the property with a black property card. They would be charged with measuring the structures and drawing them on the card. With permission, they would enter the home and inventory the number of bedrooms, baths, and other pertinent information to determine the proper value of the property. The estimated cost for the project is less than \$10,000. (Digital photos assist in the cost savings) The collection process could take one year if we employ three data collectors or one to two years if we employ two data collectors. Supervisor Carr explained he is very concerned with the ability to maintain the Governor's imposed tax cap in the future and as well his concern with possible inequities in the tax role. He is in favor of the scratch inventory, however, proposed that no decision be made this evening, as two councilmembers were absent.

Sgt. Sutton reported his department has received 65 complaints.

Animal Control Officer Van Tassel read his report. (See attached)

Attorney Rappleyea reported that he has been assisting with the agenda items.

Clerk/Collector Kohrs reported that the 2016 tax bills were mailed December 30 and payments are coming in.

Mrs. Sutton announced the Durham Task Force would meet Thursday January 21 at 6:30 to discuss the St. Patrick's Day Corn Beef & Cabbage Dinner Fundraiser. Proof of Notice having been furnished, the Public Hearing on the Site Plan Application for Zoom Flume Water Park was called to order at 8:01 p.m. by Supervisor Carr.

Supervisor Carr explained the purpose of the hearing was to discuss the addition of the Canon Bowl ride to the Zoom Flume Water Park.

Several individuals spoke concerning the overall noise associated with the Zoom Flume Park and the potential for increased noise with the new ride, lighting, safety and impact on neighbors.

Suggestions offered by the audience and property owners to help address the noise were, no mega phones after a specific hour, lower the speakers to ground level, stop the wave pool at an earlier hour than the rest of the park (noise from pumps are disruptive), limit the hours when the DJ plays. Lighting recommendations suggested were to put domes over the lights to keep illumination pointed straight down and not out and around the property.

Acknowledging the concerns of the neighbors the property owners agreed to research the suggestions and expressed a desire to work together to reach a compromise that will benefit everyone.

Councilmember Marriott motioned to keep the public hearing open until the February 2 meeting seconded by Councilmember Breslin. All in favor motion carried. (3-yetas Carr, Breslin, Marriott – 2-Absent, Cunningham, Nahas)

At 9:24 p.m., Councilmember Breslin motioned to enter into the regular session seconded Councilmember Marriott all in favor motion carried. (3-yetas Carr, Breslin, Marriott – 2-Absent, Cunningham, Nahas)

Supervisor Carr explained that the Durham Community Center facility use agreement has not be finalized between the community and the school representative. Clarification is needed on building fees, and length of pre-notifications for use. As Councilmember Nahas was not present to speak on the topic, tabled until the next meeting.

Supervisor Carr explained the contract with Mid-Hudson Cable is up for renewal in March. He has not been contacted by their representative he will inform everyone as soon as he is. Members of the audience inquired as to if there were other service providers available. Supervisor Carr explained that Mid-Hudson is currently the only provider who has expressed interest in providing coverage to our area. Other providers would be welcomed if an interest were expressed. Only 60% of the town is currently covered with cable service, residents expressed a concern with areas that don't receive coverage as well as the increasing rates for less service. The monthly rate is much more than others pay in metropolitan areas. The contract with Mid-Hudson is not exclusive so if another provider such as Time Warner were interested they could also contract with the town to provided service.

Councilmember Marriott motioned to appoint George Carroll to the Greene County Planning Board for the three year term starting March 15, 2016 commencing March 14, 201. Motion seconded by Councilmember Breslin, all in favor motion carried. (3-yetas Carr, Breslin, Marriott – 2-Absent, Cunningham, Nahas)

Councilmember Breslin moved to adopt the following resolution:

2016-02 Brandow Park Tobacco-Free Resolution

The Town of Durham agrees to the adoption of the following resolution to create tobacco-free zones at Brandow Memorial Park.

Whereas, smoking is responsible for the premature deaths of over 430,000 Americans each year from lung cancer, heart disease, respiratory illness and other diseases; and

Whereas, children exposed to secondhand smoke are more likely to have reduced lung function and symptoms of respiratory irritation, like coughing, excess phlegm and wheezing; and

Whereas, children with asthma who are exposed to secondhand smoke are especially at risk for having their condition worsened by secondhand smoke; and

Whereas, Secondhand smoke is responsible for over 50,000 deaths among nonsmokers each year; and

Whereas, tobacco kills more Americans each year than alcohol, cocaine, crack, heroin, homicide, suicide, accidents, fires, and AIDS combined; and

Whereas, 80% of smokers started smoking before the age of 18, and the average initiation age is 12 years old; and

Whereas, everyday an estimated 3,900 young people under the age of 18 try their first cigarette and one-third of these children will die prematurely from tobacco related illnesses; and

Whereas, to help role model non-smoking behavior to children and youth; to provide children, youth and their families with a safe, smoke-free environment;

Therefore, the Town of Durham, Greene County, resolves as follows:

That in park areas where children play (playground, ballfields, beaches) appropriate signage will be posted designating tobacco-free zones.

This resolution will become effective immediately.

Motion seconded by Councilmember Marriott all in favor motion carried.

(3-yeas Carr, Breslin, Marriott – 2-Absent, Cunningham, Nahas)

Supervisor Carr stated he met with a representative from NYMIR who handles the town's insurance policy. They did a walk through inspection and no meaningful deficiencies were found; the inspector was very pleased with the police department and highway procedures.

Discussion of the Filc/Amato subdivision was tabled.

Legislator O'Connor reported he has been assigned to the Health Services Committee as well as the County Resources and Economic Development Committee.

He has attended several meetings since the first of the year. The Buy In Greene, Invest in Green campaign is being revitalized throughout the county and it is a very good tool for local businesses to market themselves and their wares.

Legislator O'Connor explained the Wayne Speenburgh Grant, which allows each Legislator to award grant funding to not for profit organizations through a application process. The funding for the grant is received from the sale of foreclosed properties.

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Legislator O'Connor stated he will be putting out a newsletter to keep the residents up to date on what the legislature is working on and he will have a bulletin board at the town hall.

Councilmember Breslin motioned to approve the following transfers and payment of bills. Motion seconded by Councilmember Marriott; all in favor motion carried. (3-yeas Carr, Breslin, Marriott – 2-Absent, Cunningham, Nahas)

Councilmember Marriott motioned to adjourn at 8:26 p.m. seconded by Councilmember Breslin.

Respectfully submitted:

Chris Kohrs, RMC
Clerk/Collector