

Minutes of the meeting of the Town Board of the Town of Durham held January 2, 2019 at the Town Hall commencing at 7:30 pm.

**Present:** Shawn Marriott, Supervisor  
Joan Breslin, Deputy Supervisor  
Jerry Cunningham, Council Member  
Linda Sutton, Council Member  
George Deckers, Council Member

**Recording Secretary:** Janet Partridge, Town Clerk

**Others Present:** David Cunningham, Building Inspector  
Mark Overbaugh, CEO  
Thomas Sutton, Police Sergeant  
Joe vanHolsteyn, Highway Superintendent  
Tal Rappleyea, Attorney  
Maryellen Brooks, Assessor Clerk

8 community members

Supervisor Marriott called the meeting to order at 7:30 pm with the Pledge to the Flag.

Janet Partridge, Town Clerk, swore in the newly appointed George Deckers, Council Member.

Supervisor Marriott gave an update on anniversaries:

Judge Ray Kennedy started in 2008; Chris Kohrs started in 1998; Ray Miller started in 2007; Mark Overbaugh started in 2017; Lois Rockefeller started in 2005; Linda Sutton started in 1996; and Judge Karen Tirpak started in 1994.

SUPERVISOR MARRIOTT proposed the following Resolution:

**2019-01 Organizational Resolution**

**BE IT RESOLVED** by the Town Board of the Town of Durham as follows:

That the Town Board appoints **George Deckers** to Councilperson.

And he will hold this position until December 31<sup>st</sup>, 2019.

That the Town procures a blanket bond covering all officers, clerks, and employees of the Town,

That the Town Supervisor is authorized to appoint a bookkeeper for the Town,

That the Town Board authorizes the Town Supervisor to conduct day to day business of the town,

Whereas the Town Board acknowledges its responsibility to review and accept the procurement policy, and all employee policies and shall do so as soon as possible,

### **Mileage Policy**

Mileage will be reimbursed at a per mile rate if the duties require travel more than 10 miles from the employees' official work site or place of residence as established by the Town Board. A written statement detailing odometer readings and destination to and from must be provided with a voucher. The following positions are exempt from the 10-mile limit if a town vehicle is not available: Building Inspector, Code Enforcement, Data Collection and Animal Control Officer. The Town Board set the mileage rate at **50 cents per mile**.

### **Travel and Lodging Policy**

If the duties require travel, the employee must obtain authorization for such travel in advance from the Town Board. Only one multi-day training or seminar will be paid /yr. Every effort should be made to attend training classes or seminars closest to the employees' official work site or place of residence,

Travel between residence and official work site is not reimbursable,

Receipts must be obtained for all services paid in cash (e.g., taxi, train or bus charges); they are required for all payments, and they must be attached to the travel voucher. Meals and lodging will not be reimbursed for any employee while within 35 miles of the employees' official work site or place of residence. A meal allowance of \$35.00 a day (\$10.00 breakfast/\$25.00 dinner) will be allowed for overnight travel. Expenses for meals are reimbursable with the following schedule:

Breakfast: A breakfast reimbursement is allowed if departure occurs at least one (1) hour prior to the traveler's normal work starting time.

Dinner: A dinner reimbursement is allowed if the traveler returns at least two (2) hours after his or her normal work ending time.

Lunch: No reimbursement for lunch is allowed.

Original lodging receipts are required as evidence of an overnight stay. If more than one lodging accommodation is offered, the lowest rate will be paid.

## **Memberships**

One State and one County Membership may be joined yearly for each Department. All other memberships must be approved by the Town Board each year.

All vouchers received for reimbursement of expenses must have receipts attached.

Sales tax is not reimbursable due to our tax-exempt status.

That the regular **Town Board meetings** throughout 2019 will be held at **7:30 P.M.** on the **first Tuesday** (work session and subdivisions) and **third Tuesday** (Regular Session) each month at the Town Building in Oak Hill,

That the **Catskill Daily Mail** be designated as the **official newspaper** of the Town,

That **The Bank of Greene County** and **The National Bank of Coxsackie** be designated for **deposit of Town funds**, and authorized for direct deposit of payroll pursuant to Town direction, on direction of respective employees (Banking Law, 96-b; General Municipal Law 93-d; Town Law 29 (3),

That the **Highway Superintendent is authorized** to purchase equipment, tools and implements **not to exceed \$5,000.00**, and on the recommendation of the Highway Superintendent, **Karen Tirpak** is appointed **Clerk to the Highway Superintendent**,

That the Town participate in the purchase of materials, equipment, supplies, etc. bid and contracted for by Greene County, subject to the rules adopted by the County pursuant to Section 408 -A of the County Law, the Highway Superintendent is also authorized to purchase materials, equipment, supplies, etc. bid and contracted for by other towns or counties if it is to the advantage of the Town of Durham, the Highway Superintendent is also authorized to purchase materials, equipment, supplies, etc. under the "Piggybacking Law" under General Municipal Law (GM) ss103, subdivision 16. That the Highway Superintendent be permitted to participate in NYS Auctions, NYS Thruway Auctions and Auctions International.

That since the State is contracting for certain highway materials, equipment and supplies; that the Town of Durham Highway Superintendent is authorized to participate in such purchases during the year 2019,

That in lieu of the annual financial report to be filed by January 30th, the Supervisor shall submit to the Town Clerk a copy of his report to the State Comptroller within 60 days after the close of the fiscal year,

That any **item not exceeding \$200.00** in cost to be purchased by the **Town Justices and Building & Code Enforcement Department** is approved in advance by the **Town Board**,

That the Town Board **authorizes the Clerk/Collector to hire one deputy** to work no more than a total of **25 hours per week**,

That the Town Board **authorizes Court Clerk 2 to not exceed 50 hours** annually,

That **Tal Rappleyea** be appointed **Attorney for the Town** at \$120/hour,

That the annual salaries of all elective and appointive officers and the rates of hourly employees, including overtime and regular pay be established as follows:

	<b>Position</b>	<b>Salary</b>		<b>Frequency</b>
	Councilperson	\$ 4,886.00	/yr	Monthly
	Court Justices	\$ 12,152.04	/yr	Monthly
	Clerk 1	\$ 18,375.00	/yr	Bi-weekly
	Clerk 2	\$ 20.00	/hr	Monthly
	Supervisor Supervisor	\$ 13,050.00	/yr	Monthly
	Bookkeeper	\$ 30,141.00	/yr	Bi-weekly
	Assessor Sole Assessor	\$ 29,500.00	/yr	Bi-weekly
	Clerk 1	\$ 15.05	/hr	Monthly
	Data Clerk	\$ 14.00/16.00	/hr	Monthly
	Town Clerk/Collector Clerk/Collector	\$ 31,048.00	/yr	Bi-Weekly
	Deputy 1	\$ 10,765.00	/yr	Monthly
	Board of Assessment Chairman	\$ 375.00	/yr	Annually
	Review Members	\$ 275.00	/yr	Annually
	Police Sgt. Sutton	\$ 27,475.00	/yr	Monthly
	Police Officers: Scarey, M	\$ 18.41	/hr	Monthly
	Busch, R	\$ 17.41	/hr	Monthly

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	Shauger	\$ 18.41	/hr	Monthly
	Miller, R	\$ 18.41	/hr	Monthly
Peace Officers:	Van Tassel	\$ 15.12	/hr	Bi-Weekly
	Miller, M	\$ 15.99	/hr	Monthly
	Dispatcher	\$ 1737.00	/yr	Monthly
Animal Control Officer		\$ 7,926.00	/yr	Bi-Weekly
Buildings	Inspector	\$ 18,450.00	/yr	Monthly
	CEO	\$ 12,730.00	/yr	Bi-Weekly
	Clerk	\$ 6,840.00	/yr	Monthly
Health Officer		\$ 1,200.00	/yr	Quarterly
Vital Statistics	Registrar	\$ 597.00	/yr	Bi-weekly
	Deputy	\$ 377.00	/yr	Monthly
Hwy Superintendent	Super	\$ 62,697.34	/yr	Bi-weekly
Hwy Deputy Superintendent	Paul Capulli	\$ 22.00	/hr	Bi-weekly
	Secretary	\$ 8,743.80	/yr	Bi-weekly
Youth Program	Director	\$ 3,500.00	/yr	Annually
Youth Counselors	Minimum	\$ 11.10	/hr	Annually
	Maximum	\$ 12.40	/hr	Annually
Historian		\$ 300.00	/yr	Quarterly
Highway Employees	Ernie Brink	\$ 21.49	/hr	Bi-weekly
	Ray Armstrong	\$ 19.67	/hr	Bi-weekly
	Matt Matice	\$ 21.00	/hr	Bi-weekly
	Justin Lounsbury	\$ 21.00	/hr	Bi-weekly

Wyatt Beaumont	\$	18.08	/hr	Bi-weekly
Josh Holdridge	\$	17.30	/hr	Bi-weekly
Eric Partridge	\$	17.51	/hr	Bi-weekly

Overtime=One and one half per hour

Recycling	\$	14.18	/hr	Bi-weekly
Building Custodian	\$	100.00	/wk	Monthly
Semi Annual Cleaning	\$	100.00	2x/yr	Monthly

That **Katie Tomlin** is to be appointed custodian for the town.

That **Judith Barra** is to be appointed recycling custodian for the town,

That **David Cunningham** is appointed **Building Inspector** and **Mark Overbaugh** is appointed **Code Enforcement Officer**, and **Lois Rockefeller**, is appointed **Clerk for the Building and Code Enforcement Department**.

That **John Van Tassel** is appointed **Animal Control Officer**.

That **Roger Vaughn** is appointed **Chairman of the Board of Assessment Review**.

That **Janet Partridge, Town Clerk/Collector** is appointed **Registrar of Vital Statistics**.  
**Patricia Fetty** is appointed **Deputy Registrar of Vital Statistics**.

That **Amanda Kosich** is appointed **Health Officer**.

That **Ruth Fishman** is appointed as **Youth Program Director**.

That the following **Police appointments** be made:

<b>Sergeant</b>	<b>Thomas Sutton</b>
<b>Commissioner</b>	<b>Shawn Marriott</b>
<b>Dispatcher</b>	<b>Linda Sutton</b>
<b>Police Officer</b>	<b>Raymond Miller</b>
<b>Police Officer</b>	<b>Michael Scarey</b>
<b>Police Officer</b>	<b>John Shauger</b>

**Police Officer Richard Busch**

**Peace Officer Matthew Miller**

**Peace Officer John Van Tassel**

On the recommendation of Supervisor Marriott, **Karen Tirpak** is appointed **bookkeeper**.

On the recommendation of Gordon Bennett, Sole Assessor, **Maryellen Brooks** is appointed **Assessor's Clerk** and **Christian Larsen, Evelyn Gabrielsen, Maggie Fitzgibbons and Robert Conti** as **Data Collectors**.

On the recommendation of Supervisor Marriott, **Mary Lou Nahas** is appointed **Town Historian**.

On the recommendation of Superintendent van Holsteyn, **Paul Capulli** is appointed **Deputy Highway Superintendent**.

On the recommendation of the Justices, **Chris Kohrs and Charlene Hull** are appointed **Court Clerks**.

On the recommendation of the Town Clerk, **Patricia Fetty** is appointed **Deputy Town Clerk/Collector**.

On the recommendation of the Historic Preservation Commission, **Ken Mabey** is appointed to the four year term starting January 1, 2019 completing December 31, 2023.

On the recommendation of the Historic Preservation Commission, **Karen Rivers** is appointed to the four year term starting January 1, 2019, completing December 31, 2023.

On the recommendation of Supervisor Marriott, **Councilmember Breslin** is appointed as **Deputy Supervisor**.

**The motion was seconded by Council Member Cunningham.**

**Mr. Marriott Aye**

**Ms. Breslin Aye**

**Mr. Cunningham Aye**

**Ms. Sutton Aye**

**Mr. Deckers Aye**

**The resolution was thereupon declared adopted.**

Supervisor Marriott review the 2019 Greene County Paramedics Contract. The contract is for \$24,356.

**A motion was made by Deputy Supervisor Breslin approve and sign the Greene County Paramedics contract as presented, seconded by Council Member Sutton, all in favor, motion carried. (5 Yeas – Marriott, Breslin, Cunningham, Sutton, Deckers)**

Supervisor Marriott read a letter from Greene County Economic Development, Tourism and Planning on the expired term of Jerry Cunningham on the Greene County Planning Board.

**Deputy Supervisor Breslin offered the following resolution for approval:**

**Resolution 2019-02**

WHEREAS Jerry Cunningham is recommended as the Town of Durham representative to the Greene County Planning Board.

**The motion was seconded by Council Member Deckers.**

<b>Mr. Marriott</b>	<b>Aye</b>
<b>Ms. Breslin</b>	<b>Aye</b>
<b>Mr. Cunningham</b>	<b>Aye</b>
<b>Ms. Sutton</b>	<b>Aye</b>
<b>Mr. Deckers</b>	<b>Aye</b>

**The resolution was thereupon declared adopted.**

Supervisor Marriott read a letter he received from Matthew Hamm asking the Board to change the name of Smith Road in Cornwallville to Hamm Road. Discussion followed.

**Resolution 2019-03**

Per the request of all residents of Smith Road,

**The following resolution is hereby offered by Council Member Cunningham:**

To change the name of "Smith Road" to "Hamm Road" and the Town Clerk is hereby authorized to notify Greene County 911 and any other public safety agency of such name change.

**The motion was seconded by Council Member Deckers.**

**Mr. Marriott Aye**



**Ms. Breslin                   Aye**  
**Mr. Cunningham         Aye**  
**Ms. Sutton                 Aye**  
**Mr. Deckers               Aye**

**The resolution was thereupon declared adopted.**

Marriott brought a voucher for purchasing prepaid envelopes to the Board. On January 27<sup>th</sup> the cost of a stamp will go up five cents, so this voucher would need to be approved now and sent in. Discussion on using prepaid envelopes vs a postage meter followed.

**A motion was made by Council Member Cunningham to approve payment of the voucher pending Marriott finding information out on savings for the Town if we use a postage meter, seconded by Council Member Deckers, all in favor, motion carried. (5 Yeas – Marriott, Breslin, Cunningham, Sutton, Deckers)**

**A motion was made by Supervisor Marriott to enter into executive session to discuss proposed, pending or current litigation, seconded by Deputy Supervisor Breslin, all in favor, motion carried. (5 Yeas – Marriott, Breslin, Cunningham, Sutton, Deckers)**

**A motion was made by Deputy Supervisor Breslin to return from executive session, seconded by Council Member Deckers, all in favor, motion carried. (5 Yeas – Marriott, Breslin, Cunningham, Sutton, Deckers)**

**A motion was made by Supervisor Marriott to advise Mr. LaRosa to rescind the illegal subdivision on his property on County Route 10 before they will continue reviewing the submitted subdivision, SUB2018-04, and the Town requires perk tests to be done on all lots prior to approval of SUB2018-04, seconded by Council Member Cunningham, all in favor, motion carried. (5 Yeas – Marriott, Breslin, Cunningham, Sutton, Deckers)**

VanHolsteyn was asked if the load limit road signs will be put up soon. He reported they are ordered and he is waiting for them to be put in. Once they are in, they will work them into the schedule. Council Member Sutton asked about the missing Scenic Byway Signs. The one on Route 20B was put back up. VanHolsteyn will check his notes and see where they should be.

Marriott reported that Eric Partridge passed his road test, so he doesn't have any restrictions on his license.

**A motion was made by Deputy Supervisor Breslin to pay the Bills, seconded by Council Member Deckers, all in favor, motion carried. (5 Yeas – Marriott, Breslin, Cunningham, Sutton, Deckers)**

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01/02/19	Abstract #	24	consisting of 2018 Vouchers #	1135	through #	1160	for	\$ 46,738.80
	broken down as follows:							
			General Funds					\$ 5,090.92
			Highway Funds					\$ 2,391.00
			Safety & Fire					
			Trust & Agency					\$ 39,256.88
			Street Lighting					

**A motion was made by Council Member Cunningham at 9:25pm to adjourn, seconded by Council Member Deckers.**

Respectfully submitted,

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Janet Partridge  
Town Clerk/Collector