

**TOWN OF CHATHAM  
TOWN BOARD MEETING  
August 16, 2012**

The regular meeting of the Chatham Town Board was held on August 16, 2012 at 7:00PM at the town hall, 488 Route 295, Chatham, NY.

**PRESENT:** Supervisor Jesse DeGroot, Councilman Jean Rohde, Councilman Bob Balcom, Councilman Maria Lull and Councilman Henry Swartz, Comptroller Earl Kelsey, Highway Superintendent Joe Rickert, Recreation Director Shari Franks, Assessor Dan Horst, Court Clerks Sandra LeClair and Joan Goold, Justice James Borgia-Forster, Retired Justice Doris Appel, Town Clerk Beth Anne Rippel and Town Attorney Tal Rapplelea

Supervisor Jesse DeGroot called the meeting to order at 7:00 PM and led pledge to the flag.

**CORRESPONDENCE**

- A. James Borgia-Forster, re: NYS Magistrates 2012 Annual Conference
- B. Court Clerks, re: Annual Court Clerk's Conference Oct. 1<sup>st</sup> & 2<sup>nd</sup>
- C. Gail Chamberlain, re: Resigning her position as deputy clerk effective August 31, 2012.

**PUBLIC COMMENT**

NONE

**REPORTS**

- A. Highway – report on file.
  - The last reimbursement check from FEMA has been received.
  - In response to the NYS DOT bridge inspection on the Albany Turnpike Bridge in East Chatham (owned by CSX) the weight limit has been changed from 20 ton to 4 ton effective 08-03-12. After repeated attempts to reach CSX with no reply, Supervisor DeGroot has asked Attorney Rapplelea to draft a letter to CSX regarding necessary bridge repairs.
  - The gravel at the town hall gravel bank has been exhausted.
- B. Recreation Department – report on file.
  - The summer recreation program will end August 17.
  - The condition of main pavilion by the pond is critical. The roof has significantly deteriorated causing severe flooding both inside the building as well as outside under the pavilion. Ms. Franks does not believe that they will be able to get another summer season out of the decrepit structure.
  - Chatham resident, David Forer, has generously donated \$3,000.00 to the Crellin Park building project.
- C. Code Enforcement/Zoning Enforcement – report on file
- D. Dog Control – report on file
- E. EMC – report on file
- F. Justice Court – report on file
- G. Assessor –SCAR hearings have been done. School tax bills have been printed.
- H. ZIC – Committee is reviewing the “Use Charts”.
- I. Supervisor – The County is discussing a reverse 91 system which will have the capability of notifying County residents by phone in the event of an emergency. A plan should be in place by September.
- J. Comptroller –report on file

**NEW BUSINESS**

**A. Town Court**

A letter from the Columbia County District Attorney's Office stated that effective September 1, 2012, they will take over all vehicle and traffic tickets. DA's will only appear 2 nights per month, not the usual 4 nights per month and they will start at 5 PM. Currently, criminal cases are heard at 5 PM and vehicle and traffic are heard at 7 PM. The Town court hears 35-40 traffic cases per court night. According to clerk Sandra LeClair the case load has not diminished in any way. If they were to only hold traffic court 2 nights per month it would not lessen the case load and would mean a much longer night. Another problem is that all 4 weeks in September and the

first week in October have already been scheduled. The court room is not large enough to safely accommodate upwards of 70 people, including defendants, attorneys, law enforcement personnel and court staff. The DA's office has not given a reason for the cutbacks. Other towns have been asked to cut back as well but they do not have the same volume as the Town of Chatham court has. Attorney Rappleyea feels that this can all be worked out with a conversation with the District Attorney's Office.

Retired Justice Doris Appel wished to express her gratitude for the amicable relationship shared by the court and the Town Board during her tenure on the bench.

#### B. Columbia Land Conservancy

Peter Paden, Executive Director, of CLC spoke to the Board and community members regarding CLC and what they do in Columbia County.

- CLC has been in existence for 26 years.
- They are a land trust which currently holds 200 conservation easements.
- Land owners donate development rights to their property..
- In spite of what some believe these properties do not come off the tax rolls.
- CLC manages public conservation areas throughout the County, providing people with access to many outdoor recreational activities.
- There is also an Education component to CLC as well as Smart Planning component.
- Another piece to CLC is the Farming component identifying farm land and matching farmers with landowners.
- CLC operates mostly on donations.

#### OLD BUSINESS

A. Proposed CAC Law: A public hearing to establish a CAC will be scheduled for September 20, 2012 at 7 PM at the Town Hall.

#### RESOLUTIONS

**RES. #85-12** to hold a Public Hearing on proposed Local Law #3-12 to create a Conservation Advisory Council (CAC). Councilman Rohde offered RES. #85-12 and moved its adoption to hold a Public Hearing on September 20, 2012 at 7 PM at the Town Hall on proposed Local Law #3-12 to create a Conservation Advisory Council (CAC). Councilman Swartz seconded the motion.

**VOTE:** Ayes; DeGroot, Rohde, Balcom, Lull, Swartz  
Nays; None Resolution adopted

**RES. #86-12** to accept the minutes of the July 19, 2012 regular town board meeting. Councilman Rohde offered RES. #86-12 and moved its adoption to accept the July 19, 2012 minutes of the regular town board meeting. Councilman Lull seconded the motion.

**VOTE:** Ayes; DeGroot, Rohde, Balcom, Lull, Swartz  
Nays; None Resolution adopted

**RES, #87-12** to authorize Justice James Borgia-Forster to attend the annual conference. Councilman Swartz offered RES. #87-12 and moved its adoption to authorize James Borgia-Forster to attend the annual NYS Magistrates Conference in Syracuse September 9<sup>th</sup> through the 12<sup>th</sup>. Councilman Lull seconded the motion.

**VOTE:** Ayes; DeGroot, Rohde, Balcom, Lull, Swartz  
Nays; None Resolution adopted

**RES #88-12** to appoint Julia Horst assessor clerk as of September 1, 2012. Supervisor DeGroot offered RES. #88-12 and moved its adoption to appoint Julia Horst assessor clerk at a rate of \$10.50/hr., 14 hour work week or as needed. Councilman Lull seconded the motion.

**VOTE:** Ayes; DeGroot, Rohde, Balcom, Lull, Swartz  
Nays; None Resolution adopted

**RES. #89-12** to authorize court clerks Sandra LeClair and Joan Goold to attend the annual Court Clerk's Conference in Albany October 1<sup>st</sup> and 2<sup>nd</sup>. Councilman Lull offered RES. #89-12 and moved its adoption to authorize Sandra LeClair and Joan Goold to attend the annual Court Clerk's Conference in Albany on October 1<sup>st</sup> and 2<sup>nd</sup>. Councilman Rohde seconded the motion.

**VOTE:** Ayes; DeGroot, Rohde, Balcom, Lull, Swartz  
Nays; None Resolution adopted

**RES. #90-12** to authorize the Highway Superintendent to install a 5-ton weight limit on Seven Bridges Rd. Councilman Swartz offered RES. #90-12 to authorize the Highway Superintendent to install a 5-ton weight limit sign on Seven Bridges Rd. to reduce damage to the Town road and bridges due to heavy trucks and equipment traveling on road. (Vehicle and Traffic Law 1660, 1683)

**VOTE:** Ayes; DeGroot, Rohde, Balcom, Lull, Swartz  
Nays; None Resolution adopted

**RES. #91-12** to authorize Barton and Loguidice to perform services pertaining to the White Mills Rd. Bridge replacement over CSX in accordance with the requirements of Architectural/Engineering Consultant Agreement, Supplemental Agreement #1. Councilman Swartz offered RES. #91-12 and moved its adoption to authorize Barton and Loguidice to perform services pertaining to the White Mills Rd. Bridge replacement over CSX in accordance with the requirements of Architectural/Engineering Consultant Agreement, Supplemental Agreement #1 as follows: For services rendered pursuant to this combined Supplement, the CONSULTANT shall be paid on a Cost Plus Fixed Fee Method, as described in Section 3.1 of the original agreement, with an amount not to exceed \$54,550. 3.3 The revised maximum amount payable shall be increased to \$270,550.

Councilman Rohde seconded the motion.

**VOTE:** Ayes; DeGroot, Rohde, Balcom, Lull, Swartz  
Nays; None Resolution adopted

**PUBLIC COMMENT**

None

Motion was made by Councilman Swartz and seconded by Councilman Rhode to adjourn at 8:30 PM. Motion carried.

Respectfully submitted by,

Beth Anne Rippel  
Town Clerk