

**TOWN OF CHATHAM TOWN BOARD MEETING
APRIL 15, 2010**

The regular meeting of the Town of Chatham, Town Board was held on Thursday, April 15, 2010 at the town hall. Present were: Councilman Maria Lull, Councilman – Jean Rohde, Councilman – Henry Swartz, Jr., Highway Supt. - Joe Rickert, Code Enforcement Officer – Walt Simonsmeier, Zoning Board Chairman, Dave Everett, Town Clerk - Beth Anne Rippel, and others. Absent: Supervisor DeGroot

Councilman Rohde opened the meeting at 7:00 pm and Councilman Swartz led the pledge to the flag.

CORRESPONDENCE

A. Theodore Guterman, re: Town of Ghent local law.

B. NYS Office of Parks and Recreation re: Rowe-Lant Farm's designation as a Historic Site on the National Register of Historic Places.

C. Columbia County Household Hazardous Waste collection day on June 5, 2010, 8:00 AM – 12:00 PM, at the Highway garage on Rte. 23B in Greenport

D. Barton and Loguidice, P.C. re: Mirror Pond/Albany Turnpike: Option Study

PUBLIC COMMENT

None...

REPORTS

A. Highway report on file. Superintendent Rickert informed the Board that the Mining Permit and been received from DEC. It is valid for 5 years, expiring 4-15-2015.

B. Code Enforcement/Zoning Enforcement report on file. CEO Simonsmeier stated that the current Zoning Code can handle the Outdoor Wood Boiler (OWB) permit process.

c. Justice report on file.

D. Recreation Department report on file.

NEW BUSINESS

RES. #77-10 to appoint a member to the Board of Assessment Review. Councilman Rohde offered **RES. #77-10** and moved adoption to appoint Gail Day to the Board of Assessment Review to fill the unexpired five year term of Almeda Pulver. Term is due to expire 9-30-2010. Councilman Lull seconded the motion.

VOTE: Ayes; Lull, Rohde, Swartz

Nays; None, Resolution adopted

A. Mirror Pond, Old Chatham

◆Rob, with Barton and Loguidice, P.C. spoke on their Options Study for Mirror Pond/ Albany Turnpike. The proposal is on file. B. & L. will request documentation from Columbia County on changes which were made to area in the 1970's.

◆Highway Superintendent Rickert feels the Town should not spend any more money on this and will proceed with the dam removal.

RES. #78-10 to appoint a committee to investigate options for the maintenance/restoration/preservation, etc. of Mirror Pond in Old Chatham. RES #78-10 offered by Councilman Rohde and moved it adoption to appoint Councilman Swartz, Zoning Board Chairman Dave Everett, Ira Marks, Joan Murray, Tomma von Haeften, and Rob Pietkiewicz to the committee to investigate options for the maintenance/restoration/preservation, etc. of Mirror Pond in Old Chatham. Councilman Lull seconded the motion.

VOTE: Ayes; Lull, Rohde, Swartz

Nays; None, Resolution adopted

B. Tri Village Fire Company Re: New building Construction.

Mike Rosen, on behalf of the Tri-Village Fire Company, Inc., requested that the Town Board appoint a hearing officer and hold a public hearing in relation to the proposed borrowing by the Tri-Village Fire Company, Inc. to finance the construction of a new firehouse and the proposed issuance of an obligation (note and mortgage) to The Bank of Greene County.

RES. #79-10 to appoint a hearing officer and schedule a public hearing on the borrowing by the Tri-Village Fire Company, Inc. for the construction of the new firehouse. Councilman Swartz offered RES. #79-10 and moved its adoption to appoint Supervisor DeGroot Hearing Officer and to hold a public hearing on the 20th day of May, 2010 at 6:30 PM in relation to the proposed borrowing by the Tri-Village Fire Company, Inc. to finance the construction of a new firehouse and the proposed issuance of an obligation (note and mortgage) to The Bank of Greene County. Councilman Rohde seconded the motion.

VOTE: Ayes; Lull, Rohde, Swartz

Nays; None, Resolution adopted

OLD BUSINESS

A. National Incident Management System (NIMS) Compliance

RES. #80-10 to adopt NIMS and appoint a NIMS point of contact. Councilman Rohde offered RES. #80-10 and moved its adoption to adopt MINS and appoint Mike Stelling, from the Chatham Fire Company, NIMS point of contact. Councilman Swartz seconded the motion.

VOTE: Ayes; Lull, Rohde, Swartz

Nays; None, Resolution adopted

B. OWB

RESOLUTIONS

RES. #81-10 to approve the minutes from the March 18, 2010 regular town board meeting. Councilman Rohde offered RES. #81-10 and moved its adoption to approve the minutes from the March 18, 2010 regular town board meeting. Councilman Swartz seconded the motion.

VOTE: Ayes; Lull, Rohde, Swartz

Nays; None, Resolution adopted

RES. #82-10 to authorize the sale of surplus highway equipment. Councilman Rohde offered RES. #82-10 and moved its adoption WHEREAS; The Chatham Town Board authorizes the removal of one 1997 International Dump 2574, VIN# 1HTGUAER8VH445029 from highway inventory and sell as surplus equipment. Therefore, be it **RESOLVED** that the Town Board authorizes the sale of one 1997 International Dump 2574, VIN# 1HTGUAER8VH445029 , to be sold to the Village of Chatham, 77 Main Street, Chatham, New York for the sum of \$10,000.00. Councilman Swartz seconded the motion.

VOTE: Ayes; Lull, Rohde, Swartz

Nays; None, Resolution adopted

RES. #83-10 Highway- outside the village "DB" BAN was due on the 6th day of April 2010 for \$73,000.00 plus interest of \$1,596.00. Councilman Rohde offered RES. #83-10 and moved its adoption. **WHEREAS**, the Highway – Outside Village "DB" BAN (Grader #1) for \$73,000.00 plus interest in the amount of \$1,596.00 was due on 6th day of April 2010, and

WHEREAS, the Highway-Outside Village "DB" Fund budget calls for a principle payment of \$24,000.00 plus interest and, **WHEREAS**, there is a remaining balance of \$49,000.00 due on the BAN, therefore, be it **RESOLVED** that the Town Board authorizes the Town Supervisor to renew the Highway-Outside Village BAN for \$49,000.00 at 2.88% interest for one year.

VOTE: Ayes; Lull, Rohde, Swartz

Nays; None, Resolution adopted

PUBLIC COMMENT

◆Joan Murray presented the Board with a Mission Statement for the Old Chatham Committee to Stop the Flooding and Save the Pond, copy on file.

◆Ira Marks feels the dam removal will not solve the flooding problem. He asked Highway Superintendent Rickert if he would still proceed with the dam removal, Rickert said yes, he will take it down. Rickert too would like to see the pond restored.

◆Jim (no last name) wants Superintendent Rickert to ask DEC for an extension on the dam removal permit.

◆Jim Temple stated that the Mirror Pond project will be too expensive and not one the Town can afford.

◆Pond Hill Road residents Bart and Gail Giles are asking that regulations be placed on OWB. A neighbor installed an OWB on his property and they've suffered ill effects ever since.

◆Councilman Lull stated the OWB they are referring to was installed without a proper permit from the CEO.

◆John Kipp, a Pond Hill neighbor is not bothered by the OWB.

◆Deidre Henderson, Randi Walker and others are asking for guidelines/regulations on OWB citing the AG's report "Smoke Gets in Your Lungs". They feel current Zoning law does not adequately address the OWB issue. Regulating OWB should be done at the local level.

◆Jim Temple does not believe it is the job of local government to outlaw OWB.

◆Councilman Swartz doesn't see a need for further regulation.

Motion was made by Councilman Rohde, seconded by Councilman Lull and carried to adjourn at 8:25 PM.

Respectfully submitted by,

Beth Anne Rippel
Town Clerk