

**TOWN OF CHATHAM
REGULAR TOWN BOARD MEETING
October 21, 2010**

The Regular Meeting of the Town of Chatham, Town Board was held on Thursday, October 21, 2010 at 7:00 PM at the town hall. Present were: Supervisor Jesse DeGroot, Councilman Rohde Councilman – Henry Swartz, Jr., Councilman - Maria Lull, Highway Superintendent Joe Rickert, Town Comptroller- Earl Kelsey, Town Clerk - Beth Anne Rippel and Town Attorney - Tal Rapplelea and others.

Supervisor DeGroot opened the meeting and the pledge to the flag was led by Councilman Swartz.

CORRESPONDENCE

A. Several letters in opposition to the proposed Barry Lane gravel project.

PUBLIC COMMENT

A. David Levow submitted a letter to the Board encouraging them to consider an audit. Supervisor DeGroot stated that the Town has not had an audit since 2004. He will check with the NYS Comptrollers office to see what needs to be done to move the audit process forward.

REPORTS

A. Highway report on file. Update on the proposed Barry Lane gravel mine: “The Town no longer wishes to pursue the proposed gravel mine at the Barry Farm on Barry Lane in Old Chatham, N.Y. “

B. Dog Control Report for August and September on file.

C. EMC- Deidre Henderson informed the Board of a workshop sponsored by Columbia Land Conservancy in January 2011. The workshop will focus on Conservation Advisory Councils and all are invited to attend.

Ms. Henderson introduced Steve Winkley from NY Rural Water Association. Mr. Winkley spoke on implementing a Source Water Protection Plan. Their technical assistance is funded through the National Rural Water Association and the USEPA. They can provide free technical assistance with the preparation of source water protection plan.

RES. #110-10 to commence work on a Source Water Protection Plan with NYRWA/Steve Winkley at no cost to the Town. Deidre Henderson will act as liaison between NYRWA and the Town Board Councilman Lull offered RES. #110-10 and moved its adoption to commence work on a Source Water Protection Plan with NYRWA/Steve Winkley at no cost to the Town. Deidre Henderson will act liaison between NYRWA and the Town Board. Councilman Swartz seconded the motion.

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

C. Justice Court report on file

D. Recreation Department report on file.

RES. #111-10 to schedule a Public Hearing on November 18th at 7PM at the Town Hall to request that the proposed Crellin Park Skate Park be exempt from having to go before the Planning Board. Supervisor DeGroot offered RES. #111-10 and moved its adoption to schedule a Public Hearing on November 18th at 7PM at the Town Hall to request that the proposed Crellin Park Skate Park be exempt from having to go before the Planning Board. Councilman Lull seconded the motion.

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

E. Comptroller report on file

NEW BUSINESS

A. 2011 Town Budget

B. Animal Control officer position for the Town of Chatham is still under consideration for 2011. The County has been working on an Animal Control Officer position with plans to have the department up and running by the end of 2011. Individual towns will have the opportunity to opt in to the County Plan or continue to hire their own DCO/ACO.

C. Old Chatham Country Store requesting has requested a waiver from the standard 30 day waiting period required for alteration to their liquor license.

RES. #112-10 Supervisor DeGrootd offered RES. #112-10 and moved adoption to waive the 30 day waiting period for liquor license alterations for the Old Chatham Country Store.

WHEREAS, by correspondence dated September 30, 2010, Alissa M. Yohey, counsel for production Gourmet, Inc., d/b/a Old Country Store ("Applicant"), stated to the Town Clerk that pursuant to the NY Alcoholic Beverage Law, the applicant is requesting a waiver from the Town Board of the Town of Chatham of the 30 day notification requirement to the Town Clerk, set forth in Section 64(2)(a) of the NY ABC Law for the alteration of its liquor license at the establishment known as the Old Chatham Country Store; and

WHEREAS, the Town Board has determined that no negative impact would result from the waiver thereof.

NOW THEREFORE BE IT RESOLVED THAT, the Applicant's request of waiver of said 30 day notification is hereby granted. Councilman Lull seconded the motion.

VOTE: Ayes; DeGrootd, Lull, Rohde, Swartz

Nays; None, Resolution adopted

OLD BUSINESS

A. Mirror Pond. Councilman Swartz reported that the *Old Chatham Committee to Stop the Flooding* is asking the Town for \$1,500.00 to hire B&L to investigate possible funding sources. The Board is asking that the committee try raise \$750.00 and the Town will match that amount. Councilman Swartz will take this request back to the committee.

B. NIMS compliance. As per Councilman Swartz, Mike Stelling would like to see Highway Superintendent Joe Rickert become NIMS compliant.

C. Zoning Implementation Committee (ZIC) chairman Jim Temple reported they are moving along and are looking into legal assistance. ZIC would like to have maps printed for their use. Currently maps can be viewed from a computer disc or at the Town Hall.

D. Computer Service will be decided on at the November regular meeting.

E. Assessment exemptions will be addressed at the November meeting.

RESOLUTIONS

RES. #113-10 to approve the minutes of the September 16, 2010 regular Town Board meeting and the October 4, 2010 special Town Board meeting. Councilman Swartz offered RES. #113-10 and moved its adoption to approve the minutes of the September 16, 2010 regular Town Board meeting and the October 4, 2010 special Town Board meeting. Councilman Rohde seconded the motion.

VOTE: Ayes; DeGrootd, Lull, Rohde, Swartz

Nays; None, Resolution adopted

RES. #114-10 to schedule the 2011 Town Budget Public Hearing. Councilman Lull offered RES. #114-10 and moved its adoption to schedule the 2011 Town Budget Public Hearing for Thursday, November 4, 2011 at 6:00PM at the town hall at 488 Route 295, Chatham, New York. Councilman Rohde seconded the motion.

VOTE: Ayes; DeGrootd, Lull, Rohde, Swartz

Nays; None, Resolution adopted

RES. #115-10 Councilman Swartz offered RES #115-10 and moved adoption to designate Chatham Town Parks as tobacco-free zones.

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 and 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, be it resolved that the Town of Chatham, Columbia County, will post appropriate signage designating Chatham Town parks as tobacco-free zones.

This resolution will become effective on October 21, 2010. Councilman Rohde seconded the motion.

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

RES. #116-10 to authorize the Comptroller to make amendments to budget appropriations. Councilman Rohde offered RES. #116-10 and moved its adoption to authorize the Town Comptroller to make the following Amendments to Budget Appropriations:

FROM	TO		
A1990.4	A1440.4	Fr. Contingency to Engineering CE Engineering cost associated with the Sand and Gravel Site	\$5,000.00
DB5120.2	DB5130.4	Fr. Machinery EQ. to Machinery CE Increase in cost of repair parts & not having a mechanic in-house.	\$10,000.00
		TOTAL FUNDS	\$15,000.00

Councilman Lull seconded the motion.

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

PUBLIC COMMENT

- ◆ Deidre Henderson feels the proposed Barry Lane Gravel mine was handled poorly. Mining is a volatile issue in small towns and the Town should have been mindful of that. The engineering fees associated with this project were “squandered”.
- ◆ A Cotter Road resident was in agreement with Ms. Henderson. She went on to thank the Highway Department for the great work they do.
- ◆ Doris Appel suggested looking into printing services from Brookwood Center in Claverack for our simple printing needs.
- ◆ Jim Temple spoke on the Source Water Protection Plan and possible costs associated with it.

Motion made by Supervisor DeGroot, seconded by Councilman Lull to enter into executive session at 8:15 PM for the purpose of negotiations, Motion was made by Councilman Lull and seconded by Councilman Rohde to leave executive session at 8:40 PM.

Motion was made by Councilman Swartz, seconded by Councilman Rohde and carried to adjourn at 8:45 PM.

Respectfully submitted by,

Beth Anne Rippel
Town Clerk