

SPECIAL TOWN OF CHATHAM TOWN BOARD MEETING
June 17, 2010

The Special Meeting of the Town of Chatham, Town Board was held on Thursday, June 17, 2010 at 5:45 PM at the town hall to discuss potential litigation in relation to the Mirror Pond Dam in Old Chatham . Present were: Supervisor Jesse DeGrootd, Councilman – Jean Rohde, Councilman – Henry Swartz, Jr., Councilman - Maria Lull, Town Clerk - Beth Anne Rippel , Zoning Board Chairman – Dave Everett and Town Attorney - Tal Rappleyea.

Supervisor DeGrootd opened the meeting at 5:45 PM and Councilman Swartz led the pledge to the flag.

Motion was made by Supervisor DeGrootd, seconded by Councilman Rohde to enter into executive session at 5:46 PM to discuss potential litigation. Motion was made by Supervisor DeGrootd, seconded by Councilman Rohde and carried to come out of executive session at 6:30 PM.

Motion was made by Supervisor DeGrootd, seconded by Councilman Rohde and carried to adjourn at 6:30 PM.

Respectfully submitted by,

Beth Anne Rippel
Town Clerk

TOWN OF CHATHAM TOWN BOARD MEETING
June 17, 2010

The Regular Meeting of the Town of Chatham, Town Board was held on Thursday, June 17, 2010 at 6:30 PM at the town hall. Present were: Supervisor Jesse DeGrootd, Councilman – Jean Rohde, Councilman – Henry Swartz, Jr., Councilman - Maria Lull, Town Clerk - Beth Anne Rippel , Comptroller – Earl Kelsey and Town Attorney - Tal Rappleyea and others.

Supervisor DeGrootd opened the meeting and the pledge was led by Councilman Swartz

The **Public Hearing** was opened 6:30 PM to discuss the Agricultural Protection Plan and its incorporation into the Town of Chatham Comprehensive Plan. Jeff Lick, Deidre Henderson, Mary Gail Biebel spoke in favor of the Agricultural Protection Plan. Jim Temple also commented reading from a prepared outline which is on file. The Public Hearing was closed at 6:45 PM.

The Regular Meeting of the Town of Chatham resumed at 7:00 PM

CORRESPONDENCE

- A. NYS DEC, regarding Kinderhook Lake pesticide application.
- B. Chatham Rescue Squad, re: billing
- C. Joan Murray, re: Old Chatham dam
- D. Steven Lerner, Re: Old Chatham dam

PUBLIC COMMENT

None...

REPORTS

- A. Code Enforcement/Zoning Enforcement report on file.
- B. Justice Report on file.
- C. Supervisor (county business) IT Director Randy Wheeler continues to work on updating and upgrading the County computer system.
- D. Recreation Department report on file. The Crellin Park pond pavilion roof is leaking badly and has caused substantial damage to the building. Patching/covering will be done to prevent any further deterioration but the pavilion will need to be replaced in the not so distant future. It is not

cost effective to try to renovate the building. In 2008 the cost of replacing the building/pavilion was \$260,000.00.

E. Comptroller report on file.

NEW BUSINESS

A. Crellin Park Skate Park and website.

B. Proposed North Chatham development. Property owner, Dr. Jerry Bilinski is contemplating an "equestrian development". It is currently in the discussion phase with no actual plan on the table.

C. East Chatham Fire Company members spoke to the Board regarding the County EMS dispatching procedures. Alan Besterman is requesting that the Board support the Fire Company in their efforts to persuade the County to dispatch as they had done pre 2009 where first responders were called out to every call level (1-4). Currently first responders are not called immediately to respond to priority 3 and 4 calls and there may be situations where a priority 3 or 4 call could escalate into a priority 1 or 2. Information regarding procedures is on file.

Councilman Lull recognized the members of the Agricultural Protection Plan and commended them for their effort and hard work.

RES. #89-10 to Incorporate the Agricultural Protection Plan into the Town of Chatham Comprehensive Plan. Councilman Swartz offered RES. #89-10 and moved adoption to incorporate the Agricultural Protection Plan into the Town of Chatham Comprehensive Plan. Councilman Rohde seconded the motion.

VOTE: Ayes; DeGroot, Lull, Rohde, Swartz

Nays; None, Resolution adopted

Deidre Henderson addressed the Board asking them to consider forming a Conservation Advisory Council to address environmental concerns. The NY Rural Water Association in Claverack can assist the Town with developing a Ground Water Resource Plan free of charge.

OLD BUSINESS

A. National Incident Management System (NIMS) Compliance officer Mike Stelling addressed the Board. Step 1# will be to adopt NIMS by resolution. Step #2. The Board is asked to complete online training to level 700-800 by the regular August Town Board meeting.

B. Mirror Pond, Old Chatham. Barton and Loguidice, P.C. has submitted a proposal to provide engineering services to address the flooding issues in Old Chatham at Mirror Pond /Albany Turnpike. Councilman Swartz feels the study is necessary to fully understand the scope of the project. A Special meeting will be held on June 18, 2010 at 10:00 to discuss matters relating to the dam/Mirror Pond flooding in Old Chatham

RES. #90-10 to hire Barton and Loguidice, P.C. for engineering services. Supervisor DeGroot offered RES. #90-10 and moved its adoption to hire Barton and Loguidice, P.C. for engineering services to address the flooding issues in Old Chatham at Mirror Pond /Albany Turnpike at a cost of \$4,700.00. Councilman Lull asked that the *Old Chatham Committee to Stop the Flooding* contribute to the cost of funding this study. Amount to be contributed by the *Committee* is still to be determined. Councilman Swartz seconded the motion.

VOTE: Ayes; DeGroot, Lull, Rohde, Swartz

Nays; None, Resolution adopted

C. Councilman Rohde will place an ad in the newspaper for Computer Support Tech

RESOLUTIONS

RES. #91-10 to approve the minutes from the May 20, 2010 regular town board meeting.

Councilman Rohde offered RES. #91-10 and moved its adoption to approve the minutes from the May 20, 2010 regular town board meeting. Councilman Swartz seconded the motion.

VOTE: Ayes; DeGroot, Lull, Rohde, Swartz

Nays; None, Resolution adopted

RES. #92-10 to approve the Town of Chatham court audit report. Motion was made by Supervisor DeGroot and moved its adoption to approve the Town of Chatham court audit report. Councilman Lull seconded the motion.

VOTE: Ayes; DeGroot, Lull, Rohde, Swartz

Nays; None, Resolution adopted

RES. #93-10 to update and replace its computers, computer systems and office equipment due to normal usage and obsolesces. Councilman Rohde offered RES. #93-10 WHEREAS, it is necessary for the Town of Chatham to continue to update and replace its computers, computer systems and office equipment due to normal usage and obsolesces. WHEREAS, the General Fund "A" has \$11,577.03 in Miscellaneous Revenue General Fund-Office Automation (#889.01.31) to keep office equipment updated. THEREFORE, be it RESOLVED, that the Town Board authorizes the Town Comptroller to transfer \$5,000.00 from (A889.31) Miscellaneous Revenue General Fund-Office Automation to (H878.31) Capital Reserve Balance-Capital Projects Fund-Office Automation, subject to permissive referendum.

Councilman Swartz seconded the motion.

VOTE: Ayes; DeGroot, Lull, Rohde, Swartz

Nays; None, Resolution adopted

PUBLIC COMMENT

- ◆ Randi Walker, Melissa Pollack, Deidre Henderson, Cynthia and Bob Richardson, Ira Marks, Bob Balcom and others voices their displeasure with the lack of public involvement in appointing the Comprehensive Plan Implementation Committee.
- ◆ Melissa Pollack feels the Committee does not have enough balance and should include members from the Comp. Plan Steering Committee. Melissa asked the Board to consider involving Nan Stolzenburg in the implementation process.
- ◆ Supervisor DeGroot thinks the composition of the Implementation Committee will work but asked Councilman Rohde and Councilman Swartz if they would consider revisiting the committee appointments, they have agreed to discuss the matter.

George Vollmuth informed the Board that Dr. Bilinski has no immediate plan to develop his property in North Chatham.

Motion was made by Councilman Rohde, seconded by Councilman Swartz and carried to adjourn at 8:40 PM.

Respectfully submitted by,

Beth Anne Rippel
Town Clerk

SPECIAL TOWN OF CHATHAM TOWN BOARD MEETING
June 18, 2010

The Special Meeting of the Town of Chatham, Town Board was held on Friday, June 18, 2010 at 10:15AM at the town hall to discuss matters relating to the dam/Mirror Pond flooding in Old Chatham. Present were: Supervisor Jesse DeGroot, Councilman – Jean Rohde, Councilman – Henry Swartz, Jr., Councilman - Maria Lull, Town Clerk - Beth Anne Rippel, Highway Superintendent Jo Rickert, Town Attorney - Tal Rappleyea and members of the public.

Supervisor DeGroot opened the meeting at 10:15 AM and Councilman Swartz led the pledge to the flag.

- ◆ Supervisor DeGroot asked Highway Super. Rickert if he would hold off on removing the dam until the study by Barton and Loguidice could be completed.
- ◆ Councilman Lull and Swartz also asked that the removal be postponed for several months.
- ◆ Highway Super. Rickert is frustrated with the request. He feels the *Old Chatham Committee to Stop the Flooding*, which has been in existence for 3 years has had enough time to investigate potential solutions and funding sources. Waiting to remove the dam could potentially be costly but if that's what the Town Board wants he will respect their wishes and hold off on the project. However, Superintendent Rickert will step down from the committee charged with dam/mirror pond matters and will no longer have any dealings with DEC in regards to this project.
- ◆ Town Attorney Rappleyea will set up a meeting with DEC to see if there are any options surrounding the permits which were issued for the dam removal. He will also inquire as to why the Town was only issued 2 of the three permits which had been applied for.
- ◆ Questions remain: will DEC issue an extension, will DEC allow for the reconstruction of the dam once it has removed, will DEC waive the dam reporting requirements which will need to be filed with the department in August.
- ◆ The dam removal project will be brought back in August .

Motion was made by Supervisor DeGroot, seconded by Councilman Rohde, and carried to adjourn at 10:50 AM.
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Respectfully submitted by,

Beth Anne Rippel
Town Clerk