

TOWN OF CHATHAM TOWN BOARD MEETING FEBRUARY 18, 2010

The regular meeting of the Town of Chatham, Town Board was held on Thursday, February 18, 2010 at the town hall. Present were: Supervisor – Jesse DeGroot, Councilman Maria Lull, Councilman – Jean Rohde, Councilman – Henry Swartz, Jr., Town Attorney – Tal Rappleyea, Highway Supt. - Joe Rickert, Town Clerk - Beth Anne Rippel and several others.

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

A Public Hearing was held at 7:01 pm for the EAST CHATHAM FIRE CO. INC. Five year contract. No one spoke for or against and the hearing was closed at 7:03 pm.

CORRESPONDENCE

NYS Office of Parks and Recreation, re: Rowe-Lant Farm

NYS Office of Parks and Recreation, re: New Concord Historic District

Roland Drowne, re: Albany Turnpike bridge

PUBLIC COMMENT

Bob Balcolm spoke on the Open Meetings Law regarding the posting of board meeting minutes.

REPORTS

Highway – report on file

Highway Superintendent Rickert updated the Board on the Old Chatham pond. After major flooding in August 2009 it was determined to be in the best interest of the Town to remove the dam. An application was submitted to DEC for the necessary permits. They have been received and are effective June 15, 2010 through September 30, 2010. Removal of the dam will take place within that time period. Project updates will be posted on the Town's website at chathamnewyork@fairpoint.net as they become available.

Code Enforcement/Zoning Enforcement – report on file

Justice Court - report on file

Supervisor – County meeting was rescheduled, no report.

Recreation Department – report on file

NEW BUSINESS

RES. #53-10 to authorize the Highway Superintendent to enter into a lease for a Case 865VHP Motor Grader.

Councilman Swartz offered Res. #53 and moved adoption;

WHEREAS, The Town of Chatham Highway Superintendent has recommended to the Town Board that it enter into a lease to rent a Case 865VHP Motor Grader, and

WHEREAS, The Town has determined that it is both in the best interest of the Town and the most economical manner to achieve the work which is needed to be completed on the town roadways. NOW THEREFORE; IT IS HEREBY

RESOLVED, that the Town Board of the Town of Chatham hereby authorizes Supervisor and/or the Highway Superintendent enter into a lease for the rental of a Case 865VHP Motor Grader.

Councilman Rohde seconded the motion.

Vote: Ayes; DeGroot, Lull, Rohde, Swartz

Nays; None Resolution adopted.

RES. #54-10 to accept local initiative funding from Assemblyman Tim Gordon.

Councilman Lull offered RES. #54 to accept local initiative funding in the amount of \$4,249.00 from Assemblyman Tim Gordon.

Councilman Rohde seconded the motion.

Vote: Ayes; DeGroot, Lull Rohde, Swartz

Nays; None Resolution adopted

RES. #55-10 to advertise the Planning Board Clerk vacancy.

Councilman Rohde offered Res. #55 and moved its adoption to advertise the Planning Board Clerk vacancy. Application deadline March 12, 2010 at 5 PM.

Councilman Swartz seconded the motion.

Vote: Ayes; DeGroot, Lull, Rohde, Swartz.

Nays; None Resolution adopted.

RES. #56-10 to schedule a Public Hearing relating to the proposed franchise agreement with Charter Communications.

Supervisor DeGrootd offered RES. #56 to schedule a public hearing relating to the proposed franchise agreement with Charter Communications on March 18, 2010 at 7 PM.

Councilman Rohde seconded the motion.

Vote: Ayes; DeGrootd, Lull, Rohde, Swartz.

Nays; None Resolution adopted.

RES #57-10 to advertise a Planning Board vacancy.

Supervisor DeGrootd offered Res. #55 and moved its adoption to advertise a Planning Board vacancy. Application deadline March 12, 2010 at 5 PM .

Councilman Rohde seconded the motion.

Vote: Ayes; DeGrootd, Lull, Rohde, Swartz.

Nays; None Resolution adopted.

RES. #58-10 to approve the EAST CHATHAM FIRE CO., INC. 5 year contract.

Supervisor DeGrootd offered RES #58 to approve the EAST CHATHAM FIRE CO., INC. five year contract as follows;

2009: \$55,420.00

2010: \$59,853.60

2011: \$64,641.89

2012: \$69,813.24

2013: \$75,398.30

Contract on file.

Councilman Lull seconded the motion.

Vote: Ayes; DeGrootd, Lull, Rohde, Swartz.

Nays; None Resolution adopted.

OLD BUSINESS

- Outdoor wood boilers- no action taken by the board at this time.

- Supervisor DeGrootd noted the Town Board vacancy applicants were Mary Gail Biebel, Don Hegeman and Tom Meyn.

RES #59-10 to appoint Mary Gail Biebel to fill a Town Board vacancy.

Councilman Rohde offered Res. #59 and moved its adoption to appoint Mary Gail Biebel to fill a Town Board vacancy. Supervisor DeGrootd seconded the motion.

Vote: Ayes; Supervisor DeGrootd, Councilman Rohde

Nays; Councilman Lull, Councilman Swartz

RES #60-10 to appoint Tom Meyn to fill a Town Board vacancy.

Councilman Lull offered Res. #60 and moved its adoption to appoint Tom Meyn to fill a Town Board vacancy. Councilman Swartz seconded the motion.

Vote: Ayes; Councilman Lull, Councilman Swartz

Nays; Supervisor DeGrootd, Councilman Rohde

RES #61-10 to approve the January 21, 2010 regular Town Board meeting minutes.

Councilman Rohde offered Res. #61 and moved its adoption to approve the January 21, 2010 regular Town Board meeting minutes. Councilman Swartz seconded the motion.

Vote: Ayes; DeGrootd, Lull, Rohde, Swartz

Nays; None Resolution adopted

PUBLIC COMMENT

Randi Walker and **Melissa Pollack** would like to see the Town Board take a proactive stance on outdoor wood boilers.

Bob Balcom voiced his support for Highway Super. Joe Rickert and the decision to remove the dam in the Old Chatham pond for the sake of public safety.

RES. #62-10 Subject to a permissive referendum to expend from the Highway Equipment Capital Reserve Fund \$60,198.66 (Sixty Thousand One Hundred Ninety Eight Dollars and Sixty-Six Cents) for the initial lease payment on a Case 865VHP Motor Grader.

Councilman Rohde offered RES. #62 and moved adoption;

WHEREAS, The Town of Chatham has entered into a lease to rent a Case 865VHP Motor Grader, and

WHEREAS, the initial payment under the lease is in the amount of \$60,198.66 and
WHEREAS, The Town Board of the Town of Chatham wishes to make such payment from the
Highway Equipment Capital Reserve Fund. NOW THEREFORE, IT IS HEREBY
RESOLVED, that the Town Board of the Town of Chatham hereby authorizes Supervisor and
Highway Superintendent expend the sum of \$60,198.66 the Highway Equipment Capital Reserve
Fund, it is further
RESOLVED, that the foregoing resolution is made subject to a permissive referendum.
Councilman Swartz seconded the motion.
Vote: Ayes; DeGroot, Lull, Rohde, Swartz
Nays; None Resolution adopted

Motion was made by Councilman Rohde, seconded by Councilman Swartz and carried to
adjourn at 8:10 PM.

Respectfully submitted by,

Beth Anne Rippel
Town Clerk