

TOWN OF CHATHAM
TOWN BOARD MEETING
May 16, 2013
7:00 P.M.

PRESENT

Supervisor DeGroot
Councilman Maria Lull
Councilman Jean Rohde
Councilman Bob Balcom
Town Attorney Tal Rappleyea
Councilman Henry Swartz

Approx. 60 community members
Rec. Director Shari Franks
Comptroller Deborah Cesternino
Tammy Shaw

CALL TO ORDER

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

CORRESPONDENCE

A. 20 emails sent regarding the NYSafe Act. All correspondence on file.

PUBLIC COMMENT (NYSAFE Act)

- Jim Temple-asking the Town board to pass a resolution calling for the repeal of the NYSAFE Act. Each board member took an oath to uphold the constitution of the State of New York and the constitution of the United States. Mr. Temple believes the Act violates his second amendment rights.
- Bill Simons- Vietnam veteran carried a gun to defend the constitution. This act violates our constitutional rights.
- Landra Haber strongly opposes any resolution to repeal the NYSAFE Act
- Teresa Barenfeld strongly urges the Town Board to remain neutral. The constitution should be tested in court. The Board should not be influenced by a group from outside the Town of Chatham.
- JJ Johnson Smith - This is a constitutional matter, do not take away our rights. What's ahead?
- Pam Dudah – from “Moms Demand Action”. Their organization lobbies governments to take action to establish common-sense gun reform. They are not asking for a gun ban, they want to see stronger gun laws. There are many good points in the Act so repealing it “is like throwing the baby out with the bath water.”
- Adam Temple – Maintains the NYS Resolution website. It's not a question of whether it's appropriate for the Town Board to take a stand. We need to stand up for our rights.
- Ed Kahle- Preserve our rights under the constitution. The Board should act on what's constitutionally right.
- Ed Firsick – From Claverack believe we should all care about what the surrounding communities are doing. This is not exclusive to just one town.
- Melissa Pollack – The Town Board's task is to govern in the Town of Chatham. The NYSAFE act is a State related matter and any issues pertaining to it should be brought to the attention of our State representatives. It is inappropriate for the Town Board to even be addressing the issue at the town level.
- Andrew Fox - The Governor rammed this legislation through and our voices were excluded from the process.
- Tim Steele – The Town Board has the duty to pass on the thoughts and concerns of the Town's residents to the legislators in Albany. Repeal the entire Act and start over. This violates our rights under the constitution. Who is going to pay for the changes outlined in the new Act?
- Sarah McWilliams – This is a very divisive issue and the Town Board shouldn't take any action.

- John Wallace – from the Oath Keepers asked the Town Board to stand by the oath they took when they took office. Asking the Board to stand up for their constitutional rights and for the constitutional rights of the people of Chatham.
- Ernie Reis – It’s inappropriate for the Town Board to take any action on the NYSAFE Act.
- Georgene Gardner – There are many parts to the NYSAFE Act and the law is not perfect. This is a State matter and the Town Board should not take any action on this issue.
- Alan Besterman – The NYSAFE Act was an immorally passed bill. Stand up for our constitutional rights.
- Ray Keeler – The NYSAFE Act affects our 2nd amendment rights. It’s unconstitutional and the Town Board has a duty to say no.
- Susan Biederman – The NYSAFE Act is a State issue and those opposed should take their comments to their State legislators. It is not the responsibility of the Town Board. The law is well intentioned.
- Deirdre Henderson – Thanked the Board for not taking action on this issue last month and requests that they remain neutral.
- Wayne Coe – commented on the Act and recommended that people follow their Senators and the legislature’s decisions.
- Karla Kavanaugh – It is not the Town Boards place to take any action on the Act. This issue needs to be brought back to the State Legislature.
- Jean Rohde – Thanked everyone for coming, especially the kids in the audience. The NYSAFE Act is not perfect and needs work. But this is the wrong forum for this discussion.
- Jesse DeGroot – Voted at the County to repeal the NYSAFE Act. The Act did not go through the same process that all legislation goes through before becoming a law.
- Bob Balcom – It is the responsibility of the Town Board to govern locally and to work to meet the needs of all town residents. This Act pits neighbor against neighbor. Debate belongs at the state level not at the town level.
- Maria Lull – Does not feel that this will divide the Town. The NYSAFE Act is an infringement on our 2nd amendment rights and it needs due process. The legislature is in violation of the constitution and she recommends that the Act be repealed.

RES #87-13 to oppose the NY Secure Ammunition and Firearms Enforcement Act on the grounds that it is unconstitutional. Councilman Swartz offered Res. #87-13 and moved its adoption to oppose the NY Secure Ammunition and Firearms Enforcement Act on the grounds that it is unconstitutional. The Town Board of the Town of Chatham requests that the NYSafe Act be returned to the New York State legislature for reexamination and full review. The Town Board of the Town of Chatham further requests that this Act follow proper procedure, in accordance with guidelines set-forth by the New York State Legislature, to become law. Councilman Lull seconded the motion.

VOTE:

Ayes: DeGroot, Swartz, Lull Nays: Balcom, Rohde..... Resolution adopted

REPORTS

- A. Highway – report on file
- B. Recreation – report on file. Shari Franks thanked Larry Turk, a Village resident for purchasing the sterile grass carp which have been released into Crellin Pond to help combat the duck weed. The Crellin Park summer program will not receive any funding from the Village of Chatham. Therefore, to help offset some of the programs expenses, Frank Genovese of Ace True Value is graciously donating paint, landscaping materials and other hardware related items.

The Highway department did some tree work and brush cutting behind the Town Hall in preparation for the Disc-Golf course.

RES. #88-13 to authorize the 2013 summer camp program fee increase. Councilman Swartz offered RES. #88-13 and moved its adoption to increase the 2013 summer camp program fees. New fees are as follows for the 6 week program:

	<u>FIRST CHILD</u>	<u>ADDITIONAL CHILD</u>
-Town and Village of Chatham residents	\$75.00	\$65.00 each
-Outside	\$125.00	\$115.00 each
-Swimming lessons 3 week session	\$35.00	\$30.00 each

Councilman Balcom seconded the motion.

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

C. Code Enforcement/Zoning Enforcement – report on file

D. Dog Control – no report

E. Environmental Management Council – report on file

F. Justice – report on file

G. Assessor –

H. Zoning Implementation Committee – the committee didn't meet on the 5th. They are reviewing a lot of information on logging and are making progress.

I. Supervisor – The County is working on the proposed Pine Haven nursing home project and working to determine the cost.

J. Town Comptroller- report on file. Mortgage tax revenue is up, court revenue is down, and we are on target.

NEW BUSINESS

A. Columbia County Office for the Aging – Kary Jablonka spoke about the Meals on Wheels program. The program is volunteer dependent and delivers 300 meals per day, 5 days per week on 120 routes throughout Columbia County. There is a need to expand the program to the northern portion of the Town of Chatham. The new route would require at least 7 additional people. The deliveries usually take about an hour from start to finish. For more information on Meals on Wheels call OFA at 828-4258. To volunteer to deliver meals to area seniors contact the town clerk.

OLD BUSINESS

A. NYSAFE Act.

RESOLUTIONS

RES. #89-13 to accept the minutes from the April 18, 2013 regular town board meeting. Councilman Rohde offered RES. #89-13 and moved its adoption to accept the minutes of the April 18, 2013 regular town board meeting. Councilman Lull seconded the motion.

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

RES. #90-13 to remove items from Highway Inventory and sell as surplus. Supervisor DeGrootd offered RES. #90-13 and moved its adoption to remove the following items from Highway Inventory and to sell as surplus equipment or send to auction:

- Truck#02: 2001 Ford F250
- Truck#06: 1999 International Dump 2574
- Truck#39: 2001 Ford F350
- Truck#44: 2002 International Dump 2574
- Truck#56: 2004 Ford F350
- (1) Code 3 SAE-W3-82 Light Bar
- (6) Ford 8-Hole,1-ton Rims
- (1) Smith Sander, 6-ft

Councilman Swartz seconded the motion.

VOTE: Ayes: DeGrootd, Swartz, Lull, Balcom, Rohde..... Nays: None
Resolution adopted

PUBLIC COMMENT

Don Tubbs commended the Board for the job they're doing.

EXECUTIVE SESSION

Motion was made by Supervisor DeGrootd to enter into executive session at 8:45 p.m. under Public Officers law section 105 (c)(6) for the purpose of discussing medical, financial, credit or employment history of a particular person or relating to appointment, promotion, demotion, discipline, suspension, dismissal or removal. Councilman Swartz seconded the motion. Motion carried.

Motion was made by Supervisor DeGrootd to leave executive session at 9:35 p.m. Councilman Balcom seconded the motion. Motion carried.

Motion was made by Supervisor DeGrootd and seconded by Councilman Swartz to adjourn at 9:35 p.m. Motion carried.

Respectfully submitted by,

Beth Anne Rippel
Town Clerk/collector