

TOWN OF CHATHAM
488 Route 295
CHATHAM, NY 12037
REGULAR TOWN BOARD MEETING
December 19, 2013, 7:00PM

PRESENT:

Supervisor Jesse DeGroot, Councilman Henry Swartz, Jr., Councilman Maria Lull, Councilman Bob Balcom Councilman Jean Rohde, Town Clerk, Beth Anne Rippel, Town Attorney, Tal Rappleyea, Justices Jason Shaw and James Borgia Forster

Also present: Earl Kelsey, Julia Veronezi, Abby Mesick, Donal Collins, Ray Schrenkeisen and others

Supervisor DeGroot called the meeting to order and led the pledge to the flag.

PUBLIC HEARING: Local Law #2-13

The Public Hearing was opened at 7:01 PM to discuss Local Law #2-13 to waive the residency requirements for the deputy town clerk.

-Mr. Schrenkeisen feels that the deputy town clerk should be a Town of Chatham resident and that the residency requirements should not be waived.

There was no further comment and the public hearing was closed at 7:02 PM.

CORRESPONDENCE

A. Charter Communications: regarding billing changes

PUBLIC COMMENT

- Julia Veronezi spoke about trash receptacles being left out on roadsides causing a hazard to drivers. Trash is not being picked up in a timely fashion. It's become a sanitation issue. She would like to recommend some sort of a permitting process for the haulers. Perhaps the code enforcement officer could patrol and act on complaints.

REPORTS

A. Highway – report on file.

B. Recreation – report on file.

C. Code Enforcement/Zoning Enforcement – report on file

D. Dog Control – report on file

E. Environmental Management Council -

F. Justice Court – report on file. Jason Shaw spoke about the Town court situation at the Tracy Memorial. The Village has cut back on the police coverage and Village clerk hours have changed which has left the Town's court clerks vulnerable. The Town court is the 11th busiest court in the 3rd judicial district. There needs to be some sort of security for the clerks and he's asking the Town to address this issue immediately and approve money for security glass/door/window. He suggested that the Village be advised of the expense and charge it against the rent. He recommends that Supervisor DeGroot write a letter to Mayor Curran regarding the safety concerns and that the Town will move forward with the installation.

-Councilman Swartz will contact the Sgt. Hofstetter to see if he might offer some suggestions on the court security issue.

-Supervisor DeGroot will also address the unsafe fire escape in his letter.

G. Assessors –

H. ZIC – Special meeting on Jan. 6 at 6:30. Regular meetings held 1st & 3rd. Wednesdays of the month.

I. Supervisor – Airport

J. Town Comptroller – report on file

K. Town Clerk –DEC announces a 2 wk. blackout period beginning Dec. 26.

NEW BUSINESS

A. Deputy Town Clerk residency requirement.

RES. #137-13 to adopt Local Law #2-13 to waive the residency requirements for the deputy town clerk. Supervisor DeGrootd offered RES. #137-13 and moved to adopt Local Law #2-13;

Local Law #2 of 2013 Waiver of Residency Requirements of Deputy Town Clerk

Be it enacted by the Town Board of the Town of Chatham (the "Town") as follows:

§1. Statutory requirement; exception.

Pursuant to §20 of the State of New York Town Law, the position of Deputy Town Clerk has previously been established. The Town Board acknowledges that in the event such position is established, the appointee must be a resident of the Town unless otherwise changed by local law.

§2. Residency requirement waived.

The Town Board hereby determines and enacts that the Deputy Town Clerk of the Town of Chatham need not be a resident of the Town.

§3. Effective Date.

This Local Law shall become effective immediately and is passed in accordance with the New York State Municipal Home Rule Law.

Councilman Balcom seconded the motion.

VOTE

AYES: DeGrootd, Swartz, Lull, Balcom, Rohde NAYES: None Resolution adopted

B. Agriculture: stray animals. Abby Mesick and Donal Collins have been dealing with roaming animals from a neighboring farm. They are encouraged by the nuisance animal law currently on the books but are asking what happens when a person is fined and the fines go unpaid.

C. Town energy usage; presentations by Patrick Manning of Viridian and Michael Lovel of Photon Consulting.

-Michael Lovel presented to the Board his research on the Town's solar options. He does not recommend solar as a way to meet the Town's energy needs. Information on file.

-Patrick Manning of Viridian spoke about their buying power, the more green energy purchased the more green produced thus effecting the cost. Information on file.

D. Crellin Park building- options for a building are still being discussed.

OLD BUSINESS

A. Waste Collection by private contractors. – Councilman Lull stated that there continues to be an issue with the trash hauler.

B. Planning Board vacancy.

RES. #138-13 to appoint Michael Hart to the Planning Board. Supervisor DeGrootd offered RES. #138-13 and moved its adoption to appoint Michael Hart to the Planning Board to finish out the term left vacant by Dorothy Mackerer, term to expire in December 2015. Councilman Balcom seconded the motion.

VOTE

NAYES: DeGrootd, Swartz, Lull, Balcom, Rohde NAYES: None Resolution adopted

C. Citizen's Finance Committee. The committee will be appointed at the Organizational Meeting on January 2, 2014.

RESOLUTIONS

RES. #139-13 to approve the minutes of the November 21, 2013 regular Town Board meeting and the December 5, 2013 special town board meeting. Councilman Swartz offered RES. #139-13 and moved its adoption to approve the minutes of the November 21, 2013 regular Town Board meeting and the December 5, 2013 special town board meeting.

Councilman Balcom seconded the motion.

VOTE

AYES: DeGrootd, Swartz, Lull, Balcom, Rohde NAYES: None Resolution adopted

RES. #140-13 to establish Thursday, January 2, 6 p.m. as the date and time for the 2014 town organizational meeting. Supervisor DeGroot offered RES. #140-13 and moved its adoption to establish Thursday, January 2, 6 p.m. as the date and time for the 2014 town organizational meeting Councilman Swartz seconded the motion.

VOTE

AYES: DeGroot, Swartz, Lull, Balcom, Rohde NAYES: None Resolution adopted

RES. #141-13 to authorize CEO, Walt Simonsmeier, to attend the annual NYS Code Enforcement Officer’s conference in Lake Placid, March 2-6, 2014. Councilman Rohde offered RES. #141-13 and moved its adoption to authorize CEO, Walt Simonsmeier, to attend the annual NYS Code Enforcement Officer’s conference in Lake Placid, March 2-6, 2014. Total cost is \$652.00 plus mileage. Costs split equally between the Town of Chatham and the Town of Ghent. Councilman Swartz seconded the motion.

VOTE

AYES: DeGroot, Swartz, Lull, Balcom, Rohde NAYES: None Resolution adopted

Reso. #142-13 offered by Councilman Rohde and moved its adoption.

Whereas, The Chatham Town Board authorizes the Town Comptroller to make the following Amendments to Budget Appropriations:

| From | To | | |
|----------|----------|---|-------------------|
| A1990.4 | A1355.1 | Fr Contingency to Assessors PE Increased spending above Budget | \$ 1,275.00 |
| DB5142.4 | DB5130.4 | Fr Snow Removal CE to Machinery CE Increase spending above budget | 7,730.00 |
| DB9010.8 | DB9050.8 | Fr Retirement to Unemployment Ins. Increased spending above Budget | 11.00 |
| DB9010.8 | DB9055.8 | Fr Retirement to Disability Ins To cover increased spending | 350.00 |
| | | | \$9,366.00 |

Councilman Balcom seconded the motion.

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

RES. #143-13 to make budget appropriations. Councilman Rohde offered RES. #143-13 and moved its adoption.

Whereas, The Chatham Town Board authorizes the Town Comptroller to make the following Amendments to Budget Appropriations:

| From | To | | |
|---------|---------|--|-------------|
| A1990.4 | A9030.8 | Fr Contingency to Social Security Increased spending above Budget | \$ 3,456.00 |
| A1990.4 | A7140.1 | Fr Contingency to Playgrounds /Rec. To cover increased payroll | 3,175.00 |

| | | | |
|---------|---------|--|--------------------------------|
| A1990.4 | A7140.4 | Fr Contingency to Playgrounds /Rec. Increased spending above Budget | 450.00 |
| A1990.4 | A9055.8 | Fr Contingency to Disability Ins To cover increased spending | 50.00 |
| A1990.4 | A9060.8 | Fr Contingency to Medical Insurance To Cover increase spending | 4,335.00 \$11,466.00 |

Councilman Balcom seconded the motion.

VOTE

AYES: DeGroot, Swartz, Lull, Balcom, Rohde NAYES: None Resolution adopted

RES. #144-13 offered by Maria Lull and moved its adoption

WHEREAS, the Town of Chatham is currently renting space from the Village of Chatham at the Tracy Memorial building for the Town Justice Court for the monthly amount of \$1,500.00 (One Thousand Five Hundred Dollars), and

WHEREAS, it is necessary that the Town cause improvements to be made to the Tracy Memorial building in order to ensure the safety and security of the Town Court personnel, and **NOW THERE BE IT RESOLVED**, that the Town shall cause such improvements to be made in sum not to exceed \$10,000.00 (Ten Thousand Dollars) and it is further

RESOLVED, that any amounts spent by the Town shall be recouped by a monthly reduction of the rental amount by the sum of \$1,500.00 (One Thousand Five Hundred Dollars) and it is further

RESOLVED, that the Town Board hereby determines that due to the potential health and safety concerns of Court personnel, the Town's bidding and procurement policy is suspended as it relates to these expenditures since same is deemed to be an emergency need, and it is further

RESOLVED, that the Town Supervisor is authorized to negotiate with the Village of Chatham to effectuate the within resolution.

Councilman Rohde seconded the motion

VOTE

AYES: DeGroot, Swartz, Lull, Balcom, Rohde Nays: None Resolution adopted

PUBLIC COMMENT

None

Motion was made by Councilman Swartz and seconded by Councilman Rohde to adjourn at 8:30 P.M. Motion carried.

Respectfully submitted by,

Beth Anne Rippel, Town Clerk