

TOWN OF CHATHAM
488 Route 295
CHATHAM, NY 12037
REGULAR TOWN BOARD MEETING
January 16, 2014 7:00PM

PRESENT:

Supervisor Jesse DeGroot, Councilman Henry Swartz, Jr., Councilman Maria Lull, Councilman Bob Balcom Councilman Jean Rohde, Comptroller Deborah Cesternino, Town Clerk Beth Anne Rippel, Town Attorney, Tal Rapplelea, Shari Franks, Justice James Borgia Forster , Court Clerk Sandy LeClair, ZBA Kary Jablonka

Also present: Chatham Village Mayor Tom Curran, Barbara Henry, Ray Schrenkeisen and others.

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

CORRESPONDENCE

A. Kinder Morgan re: proposed Tennessee Gas Pipeline expansion

PUBLIC COMMENT

None

REPORTS

A. Highway – report on file.

B. Recreation – Stracher-Roth- Gilmore, Architects from Schenectady submitted a proposal /agreement for the pavilion at Crellin Park. The concept is to recycle an old barn and reconstruct it to use as the new recreation/performance pavilion.

C. Code Enforcement/Zoning Enforcement – report on file

D. Dog Control – report on file

E. Environmental Management Council -

F. Justice Court – report on file.

G. Assessors –

H. ZIC – There is not much left to do on the zoning portion of the code. The committee expects to have their recommendations ready for the Board to review by spring. Work will still need to be done on the land use section as it pertains to the comprehensive plan.

-Councilman Swart asked that an interview be setup with the one applicant who is interested in filling the ZIC vacancy.

I. Supervisor –

J. Town Comptroller – report on file. Comptroller Cesternino asked how the Board would like the monthly financial report. End of month figures are fine.

K. Town Clerk – Pond Views shelter contract.

NEW BUSINESS

A. Tracy Village Memorial Hall

-Supervisor DeGroot disbanded the Recreation/ Court Committee. Matters pertaining to the town court and recreation will now be dealt with by the Board as a whole. He would like to revisit the possibility of expanding the town hall to accommodate the town court. Supervisor DeGroot stated that he is not inclined to commit town funds to investigate the potential of the Tracy, given that the building does not belong to the Town.

-There is \$14,000.00 missing from the parking lot fund which is administered by the Village. The Town will proceed with the audit.

Councilman Balcom made a motion for the Town of Chatham to seek competitive bids for professional services related to the feasibility, design and cost for the following:

1. Renovating the current town hall to include a multi-use addition that would house the town court and necessary support rooms, large group meeting space for 100 people or more, town governmental services, as well as other needs as determined.
2. Renovating the existing Tracy Memorial building to house the town court and necessary support rooms, town offices, town and court record storage, and large group meeting space for 100 people or more, and other needs as determined, as well as Village of Chatham governmental services.
3. That the attorney for the Town of Chatham engages with the attorney for the Village of Chatham for the purpose of preparing a cost sharing agreement between the municipalities in regard to the feasibility, design and cost study.

Councilman Rohde seconded the motion for the sake of discussion. She is not ready to commit to the proposed resolution in its entirety.

-Supervisor DeGroot is willing to only look into the cost of expanding the town hall to accommodate the town court.

-Councilman Lull feels that there are a lot of unknowns at the Tracy.

-What kind of a relationship will there be with the Tracy in the future?

-She will not agree to move ahead with Councilman Balcom's proposal.

-The Town may continue to rent the court space as it has for many years.

-The Board agreed that a lease

-It is now the responsibility of the Village as well as the Tracy Foundation to maintain the Tracy Village Memorial Hall.

-Councilman Lull would like to see the public become involved and keep the line of communication with the Village.

-Councilman Balcom stated that we are in violation of the ADA and if there is ever a claim everyone would be responsible. The court room is a great space but not if it's not ADA compliant.

-Councilman Balcom agreed that Supervisor DeGroot's idea to disband the Court/Recreation committee was a good one.

-Councilman Balcom made a motion to table the discussion, Councilman Rohde seconded the motion.

The Board will meet at the workshop meeting on February 6 at 7:00 P.M. to continue the discussion.

B. Dewey Loeffel (Nassau) Landfill

OLD BUSINESS

A. Court Security – The security door did not need to go out to bid. There were several quotes obtained. The door is on order and will be delivered in 3 to 4 weeks. Councilman Balcom stated that the Village offered to install the door.

- Councilman Swartz said that given the Village's financial state the Town should take care of it.

-The Village will repair the fire escape.

-Councilman Swartz met with S&F Technologies regarding the camera/security system. The proposals are before the Board. The Village is not opposed to the Town moving ahead with the security upgrades. The Town will offset some of the costs with grant funding.

-Kary Jablonka feels that this is a slippery slope when it comes to renovations on a building the Town doesn't own. He is worried about shifting costs from the Village to the Town.

B. Waste Collection by private contractors. – Councilman Lull stated that there continues to be an issue with trash pickup. She is not in favor of regulations but it's a hazard. Councilman Balcom suggested calling the BBB. As per Tal the Town has several options:

1. The Town could adopt a law which would ticket residents for leaving their trash cans at the curb.
2. The Town could require the waste haulers to get a peddlers permit.
3. The Town could go into the trash hauling business, buying trucks etc. or hire a hauler.

The discussion is tabled for now.

C. Town energy usage.

D. Agriculture: stray animals.

RESOLUTIONS

RES. #37-14 Supervisor DeGrootd offered RES. #37-14 and moved its adoption:

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

From	To		
A1220.4	A1220.1	Fr Supervisor CE to Supervisor PS	\$ 50.00
		To cover increased payroll	
A1355.4	A1355.1	Fr Assessors CE to Assessors PS	365.00
		To cover increased payroll	
A1620.4	A1620.1	Fr Buildings CE to Buildings PS	165.00
		To cover increased payroll	
A1990.4	A9060.8	Fr Contingency to Medical Ins.	10,740.00
		To cover increased spending	
A9010.8	A9030.8	Fr State Retirement to Social Security	350.00
		To Cover increase spending	
DB9010.8	DB9060.8	Fr State Retirement to Snow Removal PS	20.00
		To cover increased spending	
A9010.8	A9060.8	Fr State Retirement to Medical Insurance	2060.00
		To cover increased spending	
From	To		
A1990.4	A9060.8	Fr Contingency to Medical Insurance	\$ 1,440.00
		To cover increased spending	
DB9030.8	DB9060.8	Fr Social Security to Medical Insurance	7,975.00
		To over increased spending	
DB9010.8	DB9060.8	Fr St Retirement to Medical Insurance	84.00
		To cover increased spending	
DB9010.8	DB5142.4	Fr State Retirement to Snow Removal CE	1,415.00
		To Cover increase spending	
			TOTAL \$24,664.00

Councilman Rohde seconded the motion

VOTE

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

RES.# 38-14 offered by Supervisor DeGrootd and moved its adoption, **Whereas**, The Highway Revenue for Sale of Equipment is \$85,585.00 for the year 2013. **Whereas**, the Highway Fund these items were not included in the Highway Budget and **Whereas**, The Highway Department has experienced a significant increase in Machinery repairs this year. **Therefore, be it resolved** that, the Town Board authorizes the Town Comptroller to increase the Highway Machinery CE (DB5130.4) appropriation by \$20,000 to cover any necessary repairs for the remainder of the year. Councilman Rohde seconded the motion.

VOTE

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

RES. #39-14 to contact the engineering firm, Barton and Loguidice, for costs associated with:
1. Renovating the current town hall to include a multi-use addition that would house the town court and necessary support rooms, large group meeting space for 100 people or more, town governmental services, as well as other needs as determined. Supervisor DeGrootd offered RES. #39-14 and moved its adoption. Councilman Swartz seconded the motion.

VOTE

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

RES. #40-14 to work with the Village of Chatham on a mutually agreeable lease for the court space at the Tracy. Councilman Swartz offered RES. #40-14 and moved its adoption to work with the Village of Chatham on a mutually agreeable lease for the court space at the Tracy. Councilman Balcom seconded the motion.

VOTE

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

RES. #41-14 to proceed with the security system installation at the Tracy as proposed by S&F technologies, options #2 and #3. Councilman Swartz offered RES. #41-14 and moved its adoption to proceed with the security system installation at the Tracy as proposed by S&F technologies, options #2 and #3. Councilman Lull seconded the motion.

VOTE

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

RES. #42-14 to disband the Recreation/Court committee. Supervisor DeGrootd offered RES. #42-14 and moved its adoption to disband the Recreation/Court committee and establish a building committee comprised of the town board members. Councilman Rohde seconded the motion.

VOTE

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

Supervisor DeGrootd proposed that the board meet as a board and not independently to discuss town business.

RES. #43-14 CALLING ON USEPA TO PROTECT THE RESIDENTS OF the Town of Chatham FROM FURTHER CONTAMINATION FROM THE LOEFFEL SUPERFUND SITE

WHEREAS, Dewey Loeffel Landfill federal Superfund Site is located in the Town of Nassau, Rensselaer County and is estimated to contain 46,000 tons of toxic waste which is more than two times the contamination of the infamous Love Canal; and

WHEREAS, toxins from the hazardous waste site have been leaking from the capped site for more than fifty years, causing increased environmental damage and contaminating wildlife, residential wells, property and waterways which include the Valatie Kill; and

WHEREAS, this Superfund Site has contaminated not only the environment of Columbia County as a result of these pollution pathways but also the well-being and quality of life of the residents of The Town of Chatham; and

WHEREAS, proposed remediation measures include a landfill leachate treatment facility that will discharge treated landfill groundwater into the Valatie Kill and which may contain contaminants from the landfill which are not present in the Valatie Kill and related tributaries; and

WHEREAS, the State of New York has already spent millions of dollars on failed remediation efforts and the contamination of fish, sediment and water in and around the surrounding communities continues; and

WHEREAS, the costs for additional tests, remediation and studies, are the responsibility of the polluters under the federal Superfund program.

NOW THEREFORE, BE IT RESOLVED as follows:

1. The Town of Chatham hereby calls for the immediate and comprehensive remediation of the Dewey Loeffel Landfill under the direction of the USEPA thereby providing for the removal of all toxins from the Landfill and surrounding environment that has injured towns and property in Columbia and Rensselaer County.
2. The Town of Chatham supports, as part of the USEPA remediation efforts at the Dewey Loeffel Landfill, a comprehensive environmental and health study of the impacts of the Superfund Site on Columbia as well as Rensselaer County.

3. The Town of Chatham opposes any remediation activity related to or at the Dewey Loeffel Landfill which will discharge any contaminants into the Valatie Kill or any other related tributary.
4. The Town of Chatham directs that a copy of the resolution shall be appropriately certified by the Town Clerk of Chatham and that such copies shall be delivered to the United States Environmental Protection Agency, the Governor of the State of New York, United States Senator Charles Schumer, United States Senator Kirsten Gillibrand, Congressman Chris Gibson, New York Senator Kathy Marchione, Assemblyman Steven McLaughlin, and the Columbia County Board of Supervisors.

Upon motion made by Councilman Henry Swartz, and seconded by Councilman Bob Balcom, the foregoing resolution was duly adopted by a majority of the members of the Town of Chatham Board at its Regular Meeting held on January 16, 2014, vote as follows:

VOTE

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

Certification of Town Clerk:

Signature _____ Printed Name _____

RES. #44-14 to designate Viridian Energy NY LLC as the Town's electricity supplier (via NYSEG) on a 6 month trial basis beginning 03/01/2014. Supervisor DeGroot offered RES. #44-14 and moved its adoption to designate Viridian Energy NY LLC as the Town's electricity supplier (via NYSEG) on a 6 month trial basis beginning 03/01/2014. Councilman Rohde seconded the motion.

VOTE

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

RES #45-14 to enter into a shelter agreement, January 1, 2014 until December 31, 2014, with Pond Views Kennel in Nassau, NY. Supervisor DeGroot offered RES. #45-14 and moved its adoption to enter into a shelter agreement, January 1, 2014 until December 31, 2014, with Pond Views Kennel in Nassau NY. Councilman Rohde seconded the motion.

VOTE

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

RES. #46-14 to approve the minutes of the December 19, 2013 regular Town Board meeting and the January 6, 2014 Organizational meeting. Councilman Rohde offered RES. -14 and moved its adoption to approve the minutes of the December 19, 2013 regular Town Board meeting and the January 6, 2014 Organizational meeting. Councilman Swartz seconded the motion.

VOTE

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

PUBLIC COMMENT

Ray Schrenkeisen commented on the trash can issue stating that his neighbor never removes his trash cans from the curb. There is currently no law on the books regarding trash cans and their removal after the trash has been picked up. Discussion on this topic will continue.

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

Respectfully submitted by,

Beth Anne Rippel, Town Clerk