

TOWN OF CHATHAM
488 Route 295
CHATHAM, NY 12037

REGULAR TOWN BOARD MEETING
November 20, 2014 7:00PM

PRESENT: Supervisor Jesse DeGroot, Councilman Henry Swartz, Jr., Councilwoman Maria Lull, Councilman Bob Balcom, Councilwoman Jean Rohde, Attorney Tal Rappleyea, Comptroller Deb Cesternino, Justice James Borgia-Forster, Fire Department Chief Wayne

ABSENT:

Others Present: Jeff Lick, Marilyn Cohen, Earl Kelsey, Jim Temple

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

The minutes will be recorded by Town Attorney Tal Rappleyea.

PUBLIC HEARINGS:

The public hearing for the Chatham Fire Department opened at 7:00 PM. There were no comments.

The public hearing for the Niverville Fire Department opened at 7:01 PM. There were no comments.

The public hearing for the Tri-Village Fire Department opened at 7:02 PM. There were no comments.

CORRESPONDENCE:

A. Pondview County Kennels, re: They will not be renewing their boarding contract for 2015.

PUBLIC COMMENT:

Jim Temple read several comments on the budget and regarding broadband (both attached).

REPORTS:

- A. Highway – report on file
- B. Recreation – report on file
- C. Code Enforcement/Zoning Enforcement – report on file
- D. Animal Control – none
- E. Environmental Management Council – none
- F. Justice Court – report on file
- G. Assessor – none
- H. Zoning Implementation Committee (ZIC) – Mobile Home Law fixed and definitions are next on the agenda.
- I. Supervisor – working on Ebola response; offices and departments are being trained in Greene and Columbia counties.
- J. Town Comptroller – report on file
- K. Town Clerk – none

NEW BUSINESS

- A. Organizational Meeting will be held on January 5, 2015, at 7:00 PM.
- B. Contract with Fire Departments

RES. #116-14 to renew contract with the Chatham Fire Department for \$33,691 ... Supervisor DeGroot offered RES. #116-14 and moved its adoption... Councilman Schwartz seconded the motion.

VOTE

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

RES. #117-14 to renew contract with the Niverville Fire Department for \$23,233 ... Supervisor DeGrootd offered RES. #117-14 and moved its adoption... Councilwoman Rohde seconded the motion.

VOTE

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

RES. #118-14 to renew contract with the Tri-Village Fire Department for \$193,800 ... Supervisor DeGrootd offered RES. #118-14 and moved its adoption... Councilwoman Rohde seconded the motion.

VOTE

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

OLD BUSINESS

A. 2015 Budget for Adoption

Discussion:

Councilwoman Rohde: Looked at changes, concerned over mandates, now wants to return the raises from the tentative 3% for Shari (?), Tammy, Sandy, Joan, Gail, Joe, Julia, Calyer, court reserve. Comptroller restores \$2000, overall impact is 0.2%.

Councilman Schwartz: Agreed, should not hurt employees.

Supervisor DeGrootd: Agreed.

Councilman Balcom: The percentages are not a big difference from 2010 there have been, but leave the comptroller at \$5000 and no raises. This is not a "give back" because the employees never had it officially, you cannot give back what you do not have.

Councilwoman Lull: Disagreed, the whole package is worth enough, the Court \$47,000, the Clerk/tax collector \$54,100. Deputy Highway \$69,000, all of it seems too high. Asked for information but did not get it, why did some get a raise and others did not? What criteria are used to decide this? There is no performance evaluation, so is this cola (?) or merit? All are part time, we pay one of the highest salaries in the county. Voting against budget.

At the request of Councilman Lull the following was added to the minutes:

Councilwoman Lull: Disagreed and pointed out that the Board is not considering the employee's whole package, salary and health insurance fully paid by the Town as in the case of the Comptroller - \$45,800, the Clerk/tax collector \$54,100 and Deputy Highway Superintendent salary of \$69,000. For the past month, have repeated asked for salary, health benefits, years of service, date of last raise on all town employees but did not get it until this week. Without this information, we cannot make an informed decision.

Questions asked of the Budget Officer are:

- *Why are some employees getting a raise and others are not?*
- *What metric was used to determine who would get the salary increase?*
- *What criteria was used, such as, did the department heads and employees receiving the raises show they met or exceeded the department's goals and objectives, created efficiencies, or saved taxpayer dollars through their efforts?*
- *Did individual employee performance valuations take place?*
- *It has not been indicated whether this proposed 3% pay raise is a cost of living adjustment or a merit raise? If it is a cost of living raise, then, all employees should receive a 3% raise. If it is a merit raise, then, were is the individual performance valuation?*
- *With the exception of the high department, all of these positions are part time. The Town of Chatham pays some of the highest salaries in the county.*
- *Increases in private industry to this degree is not happening in this region, especially, when a total salary package is considered.*
- *There has been no practical approach to each of the raises; especially since the Finance Committee did not evaluate and consider. There is no plan.*
- *Voting against budget.*

Budget requests forms from department heads. No job is secure.

Lull: Did you meet with Finance Committee?

Schwartz: Finance Committee did not change anything.

Balcom: Since 2010 the cost of living has gone up 0.9%, some people are living on less and less

Schwartz: We know we need to get employee participation in health insurance.

Lull: Seems unfair because not all got raises, not thought out.

Schwartz: We have to put a face to position and know their work. If we are not hurting taxpayers why hurt employees?

Lull: The whole package is big for part timers when taxpayers are not getting raises.

DeGroot: What about the Town Clerk?

Balcom: Okay with a 3% raise

Rohde: Others got a raise, so should she.

Swartz: Elected and knew what the money was.

Swartz: Can go either way five or seven

Rohde: The salary is cheap for comptroller, getting a bargain

Balcom: It's either 21% or 30% increase, too big a jump at once, fix it next year

Swartz agreed.

Recap: All get 3%, Comptroller to \$5000.

RES. #119-14 to adopt the 2015 budget. Supervisor DeGroot offered Res. #119-14 and moved to adopt the 2015 Budget. Councilman Swartz seconded the motion. Copy attached.

VOTE

AYE: DeGroot, Swartz, Balcom, Rohde NAY: Lull Resolution adopted

RESOLUTIONS

RES. #120-14 to approve minutes of the October 16, regular town board meeting, the October 20 special town board meeting, the October 27 special town board meeting, and the November 6 2015 budget public hearing. Councilwoman Rohde offered RES. #120-14 and moved its adoption... Councilman Balcom seconded the motion.

VOTE

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

RES. #121-14 to enter into a chargeback agreement with the Treasurer of the County of Columbia. Councilman Swartz offered RES. #121-14 and moved its adoption:

Whereas, the Town Board of the Town of Chatham has determined that the County Treasurer shall charge back the amount specified herein to the real property taxpayers of said Town responsible for such expenditure; and Now, therefore, the parties agree as follows: That the Town hereby requests that the Treasurer of the County of Columbia charge the appropriate real property taxpayers within the Town the sum of \$125,385.64 on the proportionate basis of real property tax assessments within the Town; and the Town hereby requests that the Treasurer of the County of Columbia upon collection of said amounts, pay as directed, the Chatham Rescue Squad. Councilman Balcom seconded the motion.

VOTE

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

RES. #122-14 to authorize transfer of obsolete inventory photos from assessor's office to town historian office. Supervisor DeGroot offered RES. #122-14 and moved its adoption... Councilman Balcom seconded the motion.

VOTE

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

RES. #123-14 to authorize amendments to budget appropriations. Supervisor DeGroot offered RES. #123-14 and moved its adoption. Whereas the Chatham Town Board authorizes the Town Comptroller to make the following amendments to budget appropriations:

FROM

TO

DB51101.4

DB51302.4

To cover the rest of the expense of new plow and sander for truck. \$3663.86

DB889.4

DB51302.4

To cover coding of resolution #113-14. \$34492.34

A71402.2

A71401.4

To cover increased spending and increased payroll. \$633.38

Rohde seconded the motion.

VOTE

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

RES. #124-14 Supervisor DeGroot offered RES. #124-14 and moved its adoption. WHEREAS The Chatham Town Board authorizes early payment of December's Monthly Payroll to be paid prior to December 31, 2014 and WHEREAS, The Chatham Town Board authorizes the Annual Payroll and the Health Insurance Buy-Back to be paid on December 5, 2014 and THEREFORE, be it resolved that the Town Board authorizes the Monthly Payroll, Annual Payroll and the Health Insurance Buy-Back to be paid at the earlier dates specified. Councilwoman Rohde seconded the motion.

VOTE

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

RES. #125-14 to pay New York State retirement early. Supervisor DeGroot offered RES. #125-14 and moved its adoption. WHEREAS, The NYS Employees Retirement System Annual Invoice for \$179,823 covering the fiscal year end March 31, 2014 has been received. Payment of this invoice is required by February 1, 2015. If the invoice is paid before December 15, 2014 the payment is reduced to \$178,204, a savings of \$1,619. \$135,788 is chargeable to 2014 with the remaining \$42,416 being deferred to 2015. THEREFORE, be it resolved that the Town Board authorizes the Town Comptroller to pay the NYS Retirement System Invoice for \$135,788 prior to December 15, 2014. Councilman Schwartz seconded the motion.

VOTE

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

PUBLIC COMMENT:

Jim Temple asked what he needs to do to request the establishment of long range plan.

Supervisor DeGroot said to work with Jeff Lick.

Jeff Lick: The budget is a lot more complicated than one would think. Now we are about ready, need information from the Highway Department. We are working on it coming soon, including health insurance.

Jim Temple: Mentioned raises and "insignificant impact." Health insurance is very volatile and if we do not do it now it is will cost \$500,000 and it is not fair.

EXECUTIVE SESSION: Supervisor DeGroot moved to enter Executive Session at 8:05 PM, Councilwoman Rohde seconded the motion. Topic: Public Officers law Section 105 (1)(f) for the purpose of discussing "the medical, financial, credit or employment history of a particular person or relating to appointment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation." Councilman Schwartz moved to leave Executive Session at 8:40 PM and Councilman Balcom seconded.

Motion was made by Supervisor DeGroot and seconded by Councilman Schwartz to adjourn the meeting at 8:40 PM. Motion carried.

Respectfully Submitted by,
Attorney Tal Rappleyea