

TOWN OF CHATHAM
488 Route 295
CHATHAM, NY 12037

REGULAR TOWN BOARD MEETING
April 17, 2014 7:00PM

PRESENT:

Supervisor Jesse DeGroot, Councilman Henry Swartz, Jr., Councilman Maria Lull, Councilman Bob Balcom, Attorney Tal Rappleyea, Highway Super. Joe Rickert, Town Clerk Beth Anne Rippel

ABSENT: Councilman Jean Rohde

Others Present: Tom Curran, Dorothea Lieber, Debra Gestwicki, Ray Link, Patrick Spillman, Ray Schrenkeisen, Earl Kelsey, Marilyn Bethany, Edward, Mary Lou Schillinger, Adrienne Ash, Katie Kocjanski

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

CORRESPONDENCE

A. Joan Berneri wrote to thank Animal Control Officer Wes Powell for his assistance with the fox issue.

PUBLIC COMMENT

Mayor Tom Curran reported to the Board on the following:

1. The fire escape has been repaired and shored up.
 2. The Tracey is being cleaned regularly.
 3. The rental agreement is in the hands of their attorney.
 4. RFP was put out for engineering firms to review alternative uses for the Tracey Memorial Hall.
- Mayor Curran asked the Town to please notify them when the Town is going to be doing work on the court space.

Supervisor DeGroot stated that they are working on a solution to the security door issue.

REPORTS

A. Highway - report on file.

-Debra Gestwicki and Patrick Spillman (a neighbor) gave a brief demonstration/photo presentation to the Board regarding the problem Ms. Gestwicki is facing with water on her property Hoes Rd./Route 66). She believes the cause of this problem stems from the new culvert (installed in 2001) which runs under Albany Tpk. and ultimately drains onto her property. She owns 10 acres and 5 of those acres are flooded. Ms. Gestwicki brought this to the attention of the Board in 2010.

- Highway Super Rickert indicated that he was aware of the problem but the culvert installed in 2001 was the exact same size as the one they had replaced. Something may have changed upstream from Ms. Gestwicki's property which could be causing some of the problem but this would need further investigation.

-Without the culvert in question Ms. Gestwicki believes the water would simply run alongside Albany Tpk. to the catch basin below.

-Ms. Gestwicki would like the Town to perhaps dig a holding pond. She is taking on water for the whole neighborhood.

-Attorney Rappleyea would like more information, history, culvert sizes, easements, etc. before moving on anything. He believes that the Town's engineer should study the matter.

-Supervisor DeGroot asked the Board if they would like to look into having a survey/study done and at what cost.

-Patrick Spillman thought maybe the culverts on Albany Tpk. could somehow be connected. This way the water would run along the Tpk. and down to the catch basin. The catch basin could be enlarged to accommodate the extra water. With this arrangement the culvert running under Albany Tpk. onto Ms. Gestwicki's property would not be necessary.

-Councilman Balcom would like to look into the watershed as a whole.

-Supervisor DeGroot stated that the Town would be in touch.

B. Recreation - none

Councilman Lull stated that the committee met and discussed the proposed pavilion with a gathering space, restrooms and recreation space. The Town would need someone to oversee the project and assume the risk, someone who would be looking out for the best interests of Town residents. She recommends that the Town secure the services of an architect for this purpose.

Councilman Balcom would like the involvement of an architect even though this would mean less money for the actual construction project. Councilman Lull feels that the initial design can be done to accommodate building in 2 phases. This way there would be some continuity between phase 1 &

2 which will hopefully be less expensive in the end. The question still remains....what exactly do we want? Supervisor DeGrootd recommended that the Board invite Joe Iuviene and CEO Walt Simmonsmeier to the May 1st workshop meeting to help nail down what we're doing with the pavilion project. Supervisor DeGrootd will reach out to them.

C. Code Enforcement/Zoning Enforcement – report on file

D. Dog Control – report on file

E. Environmental Management Council – Deirdre Henderson reported that the County EMC presented their report on the TCI fire to the Board of Supervisors. The report then went to the county attorney and hasn't been seen since. Supervisor DeGrootd will look into its disappearance.

The EMC recognized the following with Earth Keeping Awards: Fran Martino, Gretchen Stevens, Hawthorne Valley Farmscape Eco. Program, Don & Marnie MacLean of Thompson-Finch farm and Protect Ghent for the work they did on the proposed high voltage power lines.

EMC would like to move forward with the Source Water Protection Plan county wide and include area mapping as well.

F. Justice Court – report on file

G. Assessors –

H. ZIC – Councilman Swartz stated that they're working on maps. They've contacted Don Meltz asking for his assistance. Mr. Meltz did the original maps for the Comp. Plan and will be able to explain how they arrived at some of their decisions. The committee is asking to hire Mr. Meltz for app. 6 hours to continue the map work and to finalize the official maps to be included in the zoning code.

RES. #62-14 to permit the ZIC to hire Don Meltz to assist with Comprehensive Plan maps at a cost of no more than \$600.00. Supervisor DeGrootd offered RES. #62-14 and moved its adoption to permit the ZIC to hire Don Meltz to assist with Comprehensive Plan maps at a cost of no more than \$600.00. Councilman Lull seconded the motion.

VOTE

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

Councilman Swartz is looking for members for the Conservation Advisory Council. Deirdre Henderson may offer some assistance but feels that the Board eviscerated the 1991 CAC law which she felt was perfectly adequate. Ms. Henderson is not pleased with the new version currently on the books. Councilman Balcom also feels that the CAC local law is problematic and should be reexamined.

The ZIC will meet on May 7th and 21st.

I. Supervisor –

J. Town Comptroller – report on file

K. Town Clerk – EZ Pass tags are now available for \$25.00 at the Town Hall.

FARM DAY, Shop and Swap will be held at Crellin Park on Saturday May 3, 2014 from 9 until 2PM rain or shine.

NEW BUSINESS

A. Town broadband.

The broadband committee is a lively and enthusiastic group according to Supervisor DeGrootd. Work is being done, in conjunction with the County, on ways to develop and improve broadband access throughout Columbia County.

B. Hoes Road.

C. The County is looking for a person from the community to serve on the Office for the Aging Board. If interested contact Supervisor DeGrootd.

OLD BUSINESS

A. Waste Collection by private contractors.

There are three choices.

1. Amend our current Town littering law.

2. Regulate haulers themselves.

3. Make it a personal responsibility.

The question still remains, who is going to enforce the garbage/littering law if enacted? Councilman Lull would like to amend our current littering law. Councilman Balcom agrees. Revise §83-4 and leave it up to the discretion of the court. Councilman Lull wants to bring this to a conclusion at the

May 15, 2014 meeting.

B. Town hall court addition.

Councilman Balcom doesn't know if the Town is going in the right direction. He would like to see money set aside in the 2015 budget to cover costs associated with a study on the feasibility of adding on the town hall building to accommodate the town court. Supervisor DeGroot spoke to Barton & Loguidice and the approximate cost will run around \$8,000.00.

C. East Chatham Bridge.

Councilman Balcom has had several calls from residents who have had near misses coming across the bridge. The sight line is short. Highway Super. Rickert stated that he hasn't had any calls at the garage but he did say that it usually takes 3 to 6 months to become familiar with a new traffic pattern. He would like to see a "T" intersection where Albany Turnpike intersects with Rt. 295. He and Supervisor DeGroot will bring these concerns to the attention of the engineers.

RESOLUTIONS

RES. #63-14 to hold a public hearing on proposed Local Law #2-14. Supervisor DeGroot offered RES. #63-14 and moved its adoption to hold a public hearing proposed local law #2-14 pertaining to the removal of subsections B and C of § 124-4 Building Permits. The public hearing will be held on May 15, 2014 at 7PM at the Chatham Town Hall 488 Rt. 295, Chatham. Councilman Lull seconded the motion.

VOTE

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

RES. #64-14 Supervisor DeGroot offered RES. #64-14 and moved its adoption. **WHEREAS**, The Consolidated Highway Improvement Program (CHIPS) funding for 2014-2015 for the Town of Chatham is \$219,016.00, and **WHEREAS**, the 2014-2015 New York State Budget will include extra funding for the Town of Chatham in the sum of \$25,928.14, due to the devastating effect of the recent harsh winter under the "Extreme Weather Recovery Funding", and **WHEREAS**, the Permanent Improvement EQ (DB5112.2) was budgeted in 2014 for CHIPS funding in the amount of \$219,089.00, and **THEREFORE**, the Chatham Town Board authorizes the Town Comptroller to increase the Permanent Improvement EQ (DB5112.2) appropriation by \$25,855.14 for Highway improvement. Councilman Swartz seconded the motion.

VOTE

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

RES. #65-14 Councilman Swartz offered Res. #65-14 and moved its adoption. **WHEREAS**, Consolidated Highway Improvement Program (CHIPS) funding allows reimbursement for certain equipment purchases by the Town, and **WHEREAS**, the Chatham Town Board accepts the bid for *(One) 12-Ton Equipment Trailer* from J & M Auto Repair, Inc., located at 2788 US HWY 20, Nassau, NY for the sum of \$17,195.00, and **THEREFORE**, the Chatham Town Board accepts purchase to be paid with 2014 CHIPS funding for *(One) 12-Ton Equipment Trailer* from J & M Auto Repair for the sum of \$ 17,195.00. Councilman Balcom seconded the motion.

VOTE

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

RES. #66-14 Councilman Balcom offered RES. #66-14 and moved its adoption. **WHEREAS**, the Chatham Town Board authorizes the removal of all old equipment/vehicle parts and service manuals related to equipment/vehicles already disposed of from the Highway inventory, and **THEREFORE**, the Chatham Town Board authorizes the Highway Superintendent to sell or junk old manuals from equipment and vehicles that have already been disposed of from the Highway Department. Councilman Lull seconded the motion.

VOTE

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

RES. #67-14 Councilman Swartz offered RES. #67-14 and moved its adoption. **WHEREAS**, there is a need for a gas storage tank to be replaced at the Town Highway Department due to a potential leak in the inner tank of the double wall storage tank, and **WHEREAS**, the cost to install a new 1000-gallon gas tank and remove/dispose of old tank by Northeast Petroleum Technologies, Inc. would be in the sum of \$6,860.00, therefore **BE IT RESOLVED**, that the Town Supervisor be empowered to process the purchase of the 1000-gallon gas storage tank from Northeast Petroleum Technologies, Inc. under the emergency purchasing procedures. Councilman Lull seconded the motion.

VOTE

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

RES. #68-14 to approve the minutes of the March 20, 2014 regular town board meeting. Supervisor DeGroot offered RES. #68-14 and moved its adoption to approve the minutes of the March 20, 2014 regular town board meeting. Councilman Balcom seconded the motion.

VOTE

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

PUBLIC COMMENT

_Mary Lou Schillinger stated that there have been many near misses on the EC Bridge. There is very limited sight distance both ways. Maybe a stop sign of the Old Chatham side would help. Supervisor DeGroot and Highway Superintendent Rickert will speak to the engineers.

-Adrian Ash of East Chatham asked about the completion date of the sidewalk. Highway Super. didn't have a definite date.

-Ray Schrenkeisen asked how a home owner would know about the new trash can removal law if it's enacted. The Board will give that some thought.

-Deirdre Henderson asked if the Board had heard anything meaningful on local government consolidation, they had not.

EXECUTIVE SESSION

Motion was made by Supervisor DeGroot to enter into executive session at 9:10 PM under Public Officers law section 105 (1) (f) for the purpose of discussing medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Councilman Swartz seconded the motion. Motion carried.

Motion was made by Supervisor DeGroot to leave executive session at 9:20 PM. Councilman Balcom seconded the motion. Motion carried.

RES. #69-14 to pay Court Clerk, Sandy LeClair, a weekly salary instead of paying her by the hour. Supervisor DeGroot offered RES. #69-14 and moved its adoption to pay Court Clerk, Sandy LeClair, a weekly salary instead of paying her by the hour. Councilman Swartz seconded the motion.

VOTE

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

RES. #70-14 to restore Shari Franks to full time Recreation Director. Supervisor DeGroot offered RES. #70-14 and moved its adoption to restore Shari Franks to full time Recreation Director effective Monday April 21, 2014. Councilman Swartz seconded the motion.

VOTE

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

Motion was made by Supervisor DeGroot, seconded by Councilman Balcom to adjourn at 9:25. Motion carried.

Respectfully Submitted,

Beth Anne Rippel,RMC
Town Clerk/Collector