

TOWN OF CHATHAM  
488 Route 295  
CHATHAM, NY 12037

REGULAR TOWN BOARD MEETING  
June 19, 2014 ..... 7:00PM

**PRESENT:**

Supervisor Jesse DeGroot, Councilman Henry Swartz, Jr., Councilman Maria Lull, Councilman Bob Balcom, Councilman Jean Rohde, Attorney Tal Rappleyea, Highway Super. Joe Rickert, Rec. Director Shari Franks, Town Clerk Beth Anne Rippel  
Julia Horst

**Others Present:** Ray Schrenkeisen, Rory Block, Rob Davis, Holly Hedgepeth, CG Cancer Services program, Vincent, Emilia Teasdale, Paul Groudas, Emilia Teasdale, Jim Temple

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

**PUBLIC HEARING**

The public hearing was opened at 7:00 PM on proposed Local Law #3-14, to amend the current littering law to prohibit leaving trash cans at the roadside or outside a fenced/screened area for a period longer than 72 hours.

-CEO Walt Simonsmeier, in an earlier note, commented that this would be very difficult to enforce, when would the clock start ticking and how would you prove it?

-Mr. Schrenkeisen asked how this was going to be enforced.

-Mr. Temple respectfully requested that the Board not make any changes to the current law. There is no way to enforce it. Maybe the trash hauler should be penalized but it would most likely cost the customers more in the end. Would a hedge be enough to shield trash cans?

- Mr. Groudas asked what was considered "roadside". If he had to build a screen would he need a building permit?

- Mr. Davis feels that the current law is sufficient. The waste hauler should pick up the trash on time.

-Julie Veronezi wrote that she is in favor of amending the littering law. Residents need to be protected from the risk of disease and wild animals associated with trash left for extended periods by the roadside. Additionally, no one wants to look at garbage and garbage receptacles left by the side of the road. Letter on file.

The public hearing was closed at 7:15 PM

**CORRESPONDENCE**

A. NYS DOT, re: stop sign at Route 66 at Albany Turnpike/Shaker Museum Road

B. NYS Dept. of Public Service, safety information re: gas facility risk assessments and remediation.

**PUBLIC COMMENT**

-Mrs. Davis thanked Highway Super. Rickert for putting up a "no littering" sign on Lovers Lane. Almost daily someone dumps off their fast food garbage on Lovers Lane, maybe the sign will help discourage the littering.

-Holly Hedgepeth from Cancer Services Program left information on their free screening programs. For more information call the Healthcare Consortium.

**REPORTS**

A. Highway - report on file

-Highway Super. Rickert met with B&L regarding engineering support services for the analysis of the Albany turnpike rd. and NYS Route 295 intersection. The survey proposal for the work outlined in the letter would not exceed \$9,800. This fee would include both plans and include attending town meetings. Plan #1. changes to the bridge approach Plan #2. changes to the Frisbee St./ County Route 9 intersections.

-Supervisor DeGroot will meet with the comptroller to discuss possibly funding this expense.

-Councilman Lull would like to give the residents of the hamlet of East Chatham the opportunity to comment on any proposed changes.  
- Joe wants to deal with the bridge approach right away. The hamlet reconfiguration is not an emergency and can be done at another time.  
\_Mr. Groudas has an issue with the guardrails on the bridge, they're too restrictive.  
B. Recreation - report on file  
-there were 2 quotes for the tent rental for the park for the summer season. Columbia Tent rental will rent the tent to the Town for \$750.00 for 6 weeks.

**RES. #80-14** to accept the quote from Columbia Tent Rental. Supervisor DeGroot offered RES. #80-14 and moved its adoption to accept the quote from Columbia Tent Rental for the six week rental of a 30' X 45' tent for \$750.00 to be set up at Crellin Park. Councilman Swartz seconded the motion.

-Test borings will be done sometime next week  
-Staff training is on June 26 and July 1.

C. Code Enforcement/Zoning Enforcement - report on file  
D. Animal Control - report on file  
E. Environmental - no report  
F. Justice Court - report on file  
G. Assessor - no report  
H. Zoning Implementation Committee - They had a full meeting and are examining maps. They're looking at "defensible" ridgeline protection.  
I. Supervisor - Pine Haven Nursing Home is still under discussion.  
J. Town Comptroller - report on file  
K. Town Clerk - The CC Office for the Aging is looking for volunteers to provide health insurance counseling services to individuals eligible for Medicare.

#### **NEW BUSINESS**

A. Caber Services Program of Columbia and Greene Counties - Holly Hedgepeth spoke regarding the cancer support services being offered at Columbia County Healthcare Consortium and left information for anyone interested.

B. Columba Land Conservancy Roundtable on CACs. Councilman Lull met at Hawthorne Valley to discuss Conservation Advisory Councils role in CLC. There currently 2 people interested in serving on the Town's CAC and they are still looking for about 7 more people to fill the committee..

#### **OLD BUSINESS**

A. Waste collection by private contractors.

Councilman Lull moved to adopt Local Law #3-14, to amend the current littering law. Councilman Balcom seconded the motion.

-Councilman Lull stated that County Waste is delinquent in their duties to collect trash in a timely fashion. Customers have no recourse and the Town has no jurisdiction to intervene on their behalf. The only thing County Waste customers can do is to file a complaint with the Attorney General's Office. The AG's office did contact County Waste in February 2014 but to no avail. The Town has been discussing the trash can issue since October of 2013 and this law might be a first step. The law is to protect public health it is not to take away anyone's property rights. Maybe what needs to happen is self-policing, speak to your neighbor if they leave their trash cans out at the roadside for too long or perhaps move them yourself.

-Councilman Balcom agrees that as well-intentioned as this law is it will be difficult to enforce. No one likes to look at trash cans.

-Councilman Swartz believes that it does infringe on people's rights and it's not up to the Town to involve itself.

-Councilman Rohde agrees that it is well-intentioned but impossible to enforce. Perhaps we can post a memo on the website asking the community to remove their trash can from the roadside after they have been emptied. Maybe neighbors could encourage each other.

-Councilman Balcom said the Boards number one priority is public health and safety. Trash cans are problematic for the highway department, vehicular traffic, pedestrians and bike riders. Trash cans take away from the bucolic nature of our community. Councilman is in support of the changes to the law.

-Councilman Swartz asked Highway Super. Rickert if trash cans were a hindrance, Joe said yes, especially when people leave them at intersections and out in the road. Winter is especially difficult.

-At one point Joe had done a feasibility study on what it would cost the Town to pick up the trash. The Board would like Joe to investigate this option again.

-Supervisor DeGroot and Super Rickert both agree that the Town should seriously consider it.

\_ Councilman Balcom loves the idea of the Town looking into solving the trash problem by picking it up themselves.

#### **VOTE**

AYES: Lull, Balcom      NAYS: DeGroot, Swartz, Rohde      Resolution was not adopted

-Supervisor DeGroot stated that the Town is not in the position to regulate commerce.

-Councilman Swartz thought maybe the newspaper will help put a spark under County Waste to do a better job removing trash in a timely manner.

B. Town hall court addition.

-The Board will take a look at this at budget time.

-The Tracey lease has not been signed and has gone back to the Village.

C. East Chatham Bridge.

D. Church Lane one-way proposal. Resolution to follow.

#### **RESOLUTIONS**

**RES. #81-14** offered by Councilman Swartz and moved to adoption.

WHEREAS, the Town of Chatham Town Board has determined, upon the recommendation of the Highway Superintendent that it is in the best interest of public safety and welfare of the citizens of the Town of Chatham that Church Lane in Chatham Center should be restricted to a one-way traffic pattern; and WHEREAS, the NYS Vehicle and Traffic Law §1660 (116) authorizes town boards to designate one-way streets within the town. NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Chatham hereby designates Church Lane in Chatham Center to be a one-way street with traffic to flow in a generally southerly direction from Route 13 to Route 66 only. Councilman Balcom seconded the motion.

#### **VOTE**

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

**RES. #82-14** Councilman Swartz offered RES. #82-14 and moved its adoption.

WHEREAS the Chatham Town Board has received a request to reduce the speed limit on Albany Turnpike, between State Route 66 to the Nassau Town Line, and THEREFORE BE IT RESOLVED, that the Chatham Town Board makes an application to the DOT to have the speed limit reduced to 30MPH on Albany Turnpike, between State Route 66 to the Nassau Town Line. Councilman Balcom seconded the motion.

#### **VOTE**

AYES: DeGroot, Swartz, Lull, Balcom      NAYS: Rohde      Resolution adopted

**RES. #83-14** Councilman Swartz offered RES. #83-14 and moved its adoption.

WHEREAS, the Chatham Town Board has received a request from the Highway Superintendent to remove the 2005 Ford F550 (truck #63), VIN #1FDAF57P75EB87794 from Highway inventory due to a cracked frame, and THEREFORE BE IT RESOLVED THAT the Chatham Town Board authorizes the removal of (one) 2005 Ford F550 (truck #63), VIN #1FDAF57P75EB87794 from Highway inventory and authorizes the truck be sold as surplus equipment. Councilman Lull seconded the motion.

**VOTE**

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

**RES. #84-14** Councilman Swartz offered RES. #84-14 and moved its adoption. WHEREAS, the Chatham Town Board has received a request from the Highway Superintendent to remove the 2002 Rawson Screen 3830 (#48), SN #46902 from the Highway inventory, and THEREFORE BE IT RESOLVED THAT the Chatham Town Board authorizes the removal of (one) 2002 Rawson Screen 3830 (#48), SN #46902 from the Highway inventory and authorizes the screen be sold as surplus equipment. Councilman Rohde seconded the motion.

**VOTE**

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

**RES #85-14** Councilman Rohde offered RES. #85-14 and moved its adoption. WHEREAS, the Chatham Town Board accepts the contract bid price per specifications through Village of Millbrook for (one) 2015 Ford F550 4x4 Regular Cab Chassis from Orange Motors, 799 Central Ave., Albany, NY for the sum of \$35,415.00, and THEREFORE BE IT RESOLVED that the Chatham Town Board accepts the contract bid price per specifications of \$35,415.00 for (one) 2015 Ford F550 4x4 Regular Cab Chassis from Orange Motors, 799 Central Ave., Albany, NY in 2014 and shall be purchased with a 2014 BAN note subject to a permissive referendum. Councilman Balcom seconded the motion.

**VOTE**

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

Councilman Swartz asked if Highway had anticipated having to remove the 2005 Ford F550 truck and replace it this year. Hwy. Super said no, the replacement had not been planned for this year.

**RES. #86-14** Councilman Rohde offered RES. #86-14 and moved its adoption. WHEREAS, the Chatham Town Board accepts the Oneida Contract bid price per specifications for (one) PCS9-3 Truck Body from ZWACK, Inc., Rte. 22, Stephentown, NY for the sum of \$8,536.00, and THEREFORE BE IT RESOLVED, that the Chatham Town Board accepts the Oneida Contract bid price per specifications of \$8536.00 for (one) PCS9-3 Truck Body from ZWACK, Inc., Rte. 22, Stephentown, NY in 2014 and shall be purchased with a 2014 BAN note subject to a permissive referendum. Councilman Swartz seconded the motion.

**VOTE**

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

**RES. #87-14** to approve the minutes of the May 1, 2014 regular workshop meeting; the May 15, 2014, regular town board meeting; and the June 13, 2014 special town board meeting. Councilman Balcom offered RES. #87-14 and moved its adoption to approve the minutes of the May 1, 2014 regular workshop meeting; the May 15, 2014, regular town board meeting; and the June 13, 2014 special town board meeting. Councilman Rohde seconded the motion.

**VOTE**

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

**RES. #88-14** to declare the lever voting machine stored at the town hall as surplus. Councilman Swartz offered RES. #88-14 and moved its adoption to declare the lever voting machine stored at the town hall as surplus. Councilman Rohde seconded the motion.

**VOTE**

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

**Public Comment**

-Jim Temple and his neighbors look after one-another. Trash cans left by the roadside are an open invitation to crooks to say that the home is not occupied. Be a good neighbor and take in the trash cans.

**EXECUTIVE SESSION**

On a motion by Supervisor DeGroot, seconded by Councilman Swartz, and carried the Town Board entered executive session at 8:30 PM in accordance with Public Officers Law §105 (h) for the purpose of discussing the proposed acquisition, sale or lease of real property.

Motion was made by Supervisor DeGroot seconded by Councilman Balcom to leave executive session at 8:35PM. Motion carried.

Motion was made by Supervisor DeGroot, seconded by Councilman Rohde to adjourn at 8:35PM. Motion carried.

Respectfully Submitted,

Beth Anne Rippel  
Town Clerk