

REGULAR TOWN BOARD MEETING
TOWN OF CHATHAM
And
Public Hearing on Local Law #2-15
488 Route 295, Chatham, NY 12037
June 18, 2015
7:00 P.M.

PRESENT: Supervisor Jesse DeGroot, Councilman Jean Rohde, Councilman Maria Lull, Councilman Bob Balcom, Councilman Henry Swartz, Town Clerk Beth Anne Rippel, Assessor Clerk Julia Horst, Town Attorney Tal Rappleyea

Others present: Sonya Del Peral, Deirdre Henderson, Jim Temple, Jan Storm, Robyn Reynolds of Climate Action Assoc. and several others.

CALL TO ORDER

Supervisor DeGroot called the meeting to order at 7:00 P.M. and led the pledge to the flag

PUBLIC HEARING

on Local Law #2-15 will be addressed later in the meeting due to the fact that the attorney hasn't yet arrived.

CORRESPONDENCE

- A. Andrew Howard, re: Life Serve Youth Foundation.
- B. Sally Veillette, re: Thomas Road Alliance.
- C. Jeff Ackerman, re: Life Serve Youth Foundation.
- D. Morgan M. Bowers, re: 954 County Route 32.

PUBLIC COMMENT

- Jan Storm asked about the Climate Change Resolution. DeGroot said that she can update the Board during the reports section of the meeting.
- Jim Temple stated that he is upset by what's going on in the community and he's surprised there aren't more people at the meeting to talk about this. The "climate" in our Town includes neighborliness, what's going on here is atrocious. DeGroot interjected and said that we were talking about climate change as it pertains to the weather. Mr. Temple was aware of that but he is talking about "climate" as it pertains to what's going on with neighbors in Town. Mr. Temple is a lifelong resident of the Town of Chatham. What the neighbors are doing to Adam Slone is for sure "immoral and unethical" but legal. He and his wife no longer want to stay here. It is time for them to move on if this is the "climate". They don't want to be around neighbors who behave this way.

REPORTS

- A. Highway - report on file
Sonya Del Peral, attorney for Brenda Boice, is requesting that the shared private roadway at 954 County Route 32 be named "Redhawk Trail". Columbia County 911 says they only number driveways and they consider this private roadway a driveway. This causes confusion for the owners of the 3 parcels off this private road. If this private roadway is named then each parcel will be given its own number by CC 911.

RES. #83-15

Councilman Swartz offered Resolution #83-15 and moved its adoption.

WHEREAS, the Chatham Town Board recognizes that currently 954 County Route 32 is a shared private road consisting of stops #1, #2, #3.

WHEREAS, emergency management can provide more accurate service in locating said residents if the private road is named and each "Stop" be given individual addresses by Columbia County 911, and

WHEREAS, the Chatham Town Board has agreed that from this point forward said private road shall be named "Redhawk Trail", and

WHEREAS, the Town of Chatham has neither rights on, nor responsibilities for, said private road, and

NOW THEREFORE BE IT RESOLVED that the Chatham Town Board acknowledges that the private road at 954 County Route 32 will now be recognized as a private road by the name of "Redhawk Trail" to which the Town of Chatham has neither rights on, nor responsibility for. Councilman Lull seconded the motion.

VOTE

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

B. Recreation Department – report on file

C. Code Enforcement/Zoning Enforcement – report on file

D. Dog Control – report on file

E. Environmental Management Council – Deirdre Henderson stated that the Town of Ancram adopted the Climate Change resolution that was presented to the Chatham Town Board last month. Other towns are still considering it. The Board was given information on Solar Development in and around Cooperstown, NY. They're investigating solar electricity projects in an effort to reduce operating costs.

- Storm stated that Congressman Gibson has been working hard on a climate change resolution and gathering co-sponsors. The Climate Change lobby will be meeting with him in DC and it would be great if they could say that the Town has also passed the resolution.

- Lull stated that she was on Gibson's website and didn't see anything on climate change. She thought that maybe they could get the Congressman to put something up on the website.

- Henderson said that once he gets other co-sponsors there will be something on the website.

- Storm said that there has been considerable research done and the majority of those polled believe that global warming is real and has a significant effect on our weather. We have to switch to alternative energy.

- Robyn Reynolds, Community Engagement Manager for Climate Action Associates LLC, an independent contractor for NYSERDA, spoke about the Climate Smart Communities program and the benefits to the town. It's a state and local partnership.

Representatives go out into the communities and learn about what the goals are and how they can help advance those goals through the adoption of sustainable practices.

- Swartz asked if they would assist the Town in doing a building by building inventory and make recommendations on how to cut costs. Robyn said they could.

RES. # 84-15 Councilman Lull offered RES. #84-15 and moved its adoption

WHEREAS an overwhelming majority of credentialed scientists, in the United States and abroad, support the findings that climate change is happening and that human activity is a key contributor to it;

WHEREAS the U. S. National Academy of Sciences and the U. K. Royal Society have stated, "It is now more certain than ever, based on many lines of evidence, that humans are changing Earth's climate. The atmosphere and oceans have warmed, accompanied by sea-level rise, a strong decline in Arctic sea ice, and other climate-related changes", (<http://dels.nas.edu/resources/static-assets/exec-office-other/climate-change-full.pdf>)

WHEREAS the 2014 National Climate Assessment, reviewed extensively by the National Academy of Sciences and a Federal Advisory Committee, states that in the Northeast "Heat waves, coastal flooding, and river flooding will pose a growing challenge to the region's environmental, social, and economic systems... [which] will increase the vulnerability of the region's residents, especially its most disadvantaged populations;" (<http://nca2014.globalchange.gov/report/regions/northeast>)

WHEREAS the 2014 Quadrennial Defense Review of the U.S. Department of Defense states that the effects of climate change are "threat multipliers that will aggravate stressors abroad such as poverty, environmental degradation, political instability, and social tensions – conditions that can enable terrorist activity and other forms of

violence;" (<http://climateandsecurity.org/2014/03/04/climate-change-and-national-security-in-the-2014-quadrennial-defense-review/>)

WHEREAS the United Nations International Panel on Climate Change has reported "Impacts from recent climate-related extremes, such as heat waves, droughts, floods, cyclones, and wildfires, reveal significant vulnerability and exposure of some ecosystems and many human systems to current climate variability ... and "All aspects of food security are potentially affected by climate change, including food access, utilization, and price stability;"

(https://ipccwg2.gov/AR5/images/uploads/WG2AR5_SPM_FINAL.pdf)

WHEREAS New York State "Executive Order No. 24 set a goal to reduce greenhouse gas emissions in New York State by 80 percent below the levels emitted in 1990 by the year 2050;" (<http://www.dec.ny.gov/energy/80930.html>)

WHEREAS the Union of Concerned Scientists has called "for government and corporate decision makers to reduce the threat of global warming by: Expanding the use of renewable energy and transforming our energy system to one that is cleaner and less dependent on coal and other fossil fuels. Increasing vehicle fuel efficiency and supporting other solutions that reduce U. S. oil use. Placing limits on the amount of carbon that polluters are allowed to emit. Building a clean energy economy by investing in efficient energy technologies, industries, and approaches;"

(http://www.ucsusa.org/global_warming/global_warming)

WHEREAS if left unaddressed, the consequences of climate change will adversely impact all Americans, hitting the most vulnerable populations--children, the elderly, the sick and the poor—hardest, and saddling future generations with the costly burden of a damaged planet; and

WHEREAS most faith traditions recognize a moral obligation to care for the most vulnerable peoples and to be responsible stewards of the Earth;

WHEREAS global warming and resultant climate instability are broadly considered issues

requiring correct and sustained actions by nations, states, and communities;

WHEREAS local, state and federal governments are incurring increasing costs to repair damage from severe climatic events, and these costs are only expected to increase and will ultimately be borne by taxpayers;

WHEREAS addressing climate change through increased energy efficiency measures and increased development of renewable energy sources could provide benefits in terms of employment and sustainable economic activity;

WHEREAS the region has experienced multiple 100 year storms in the past 10 years; now therefore be it

RESOLVED, that the Town Board of the Town of Chatham:

1) urges the County of Columbia, the State of New York, and the Congress and President of the United States of America to take prompt and effective measures to rapidly address climate change by promoting and encouraging a reduction of greenhouse gas emissions from fossil fuels and their associated infrastructure, improvement in the efficiency of energy systems, and the development and installation of renewable energy systems; and

2) stands ready to work with any level of government to achieve these goals, that will in the process create safe, sustainable jobs and provide real, clean energy solutions for generations to come. Councilman Swartz seconded the motion.

VOTE

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

- Henderson asked if she could let Congressman Gibson's office know that the Town passed the resolution. The Board was fine with that.

F. Justice Court - report on file

G. Assessors

H. Zoning Implementation Committee - Swartz said they're working on mapping changes and working with the RL zones, special use and general standards and looking at steep slope standards.

I. Supervisor (county business)- Ken Flood resigned as Executive Director of the CEDC. Discussion continues as to whether or not the CCBOS will fund the CEDC. This will be an immediate Board conversation as well as a budget discussion. Lull asked where broadband stood and DeGrootd replied that this has nothing to do with it. Ken runs Planning and Economic Development from the county end. He was wearing two hats and had too much on his plate. CEDC is doing some reorganizing. DeGrootd feels that overall CEDC has done a good job funding loans for people who needed it but a little more oversight would have been a good thing.

J. Town Comptroller – the report is on file as prepared Ray Preusser and Tammy Shaw. Lull asked if the Board needs to vote on the accounts payable report sent to them by Ray Preusser since he is not fulfilling the position of Comptroller. DeGrootd said that the deputy accountant is currently working in the capacity she has always worked under so if we were to go to the accountant position then we would need to vote on it. Rappleyea stated that In this situation we can make a motion if we wanted to.

RES. #85-15 to approve the Comptroller's Report and pay bills as per that report. Supervisor DeGrootd offered RES. #85-15 and moved its adoption to approve the Comptroller's Report and pay bills as per Ray Preusser's accounts payable report. Councilman Lull seconded the motion.

VOTE

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

K. Town Clerk – The 2015 tax collections cycle ended on May 31st and the tax rolls were turned over to the Columbia County Treasurer on June 8th. All figures balanced and everything was in order. Interest and penalties for the collected in 2015 are on average and will be around \$15K.

L. Citizen Finance Committee – Swartz stated that the committee met to discuss the comptroller position. They looked at the duties Tammy was performing, what the comptroller was doing and information that Maria submitted from a few accounting firms and the bottom line is that we can save about \$30,000 by outsourcing to an accounting firm. We could outsource payroll and have a point person here. The committee recommends that we don't fill the comptroller vacancy. The Town can solicit accounting firms to provide these services. DeGrootd wondered where this would leave us as far as the Comptroller law. Rappleyea said that he believes that the Town would have to repeal the local law which had established to position of Comptroller. If they do that then the CFO responsibilities revert back to the Supervisor for preparing the monthly report. DeGrootd asked if when we hire an accountant it comes back under the CFO. Rappleyea said that if they don't fill the comptroller position someone has to do those things and it generally falls to the comptroller or CFO. DeGrootd made the point that this could potentially politicize the position again. -Swartz said they looked at that and they were hoping to not have to dissolve the comptroller position, just not fill it for now, give it a year and see if the outsourcing works out. If it doesn't work out then we can go back to a comptroller position. Rappleyea said that that may be possible but he will have to look into it further. But the Town would still need someone to do the monthly and the year-end report
_ Swartz said that's why they were looking at the accountant office to do that for us. The committee has job descriptions of what the comptroller and Tammy do for the Town, filing reports, deposits, bank transfers, payroll, taxes, insurance, vouchers, and they will be looking at accountants to do all these things for us, with maybe the exclusion of payroll. They are looking to solicit accounting firms to provide the services required and when the applications come back to the Town the Finance Committee would like to interview them. Swartz asked Balcom if he missed anything. - Balcom said that we will have to do RFP. He stated that Lull had asked a couple of area accounting firms what they do for municipalities and did take care of the AUD report and a lot of reporting for the municipalities. He did say that they discussed the political ramifications of this but by the end the committee all agreed that the Town should to try this for a year. Although the in-house person would be doing the "nuts and bolts" the neutral outside person will be keeping an eye on things. - Balcom said that if they choose this route they can save money by not having to

upgrade our software.

- DeGrootd asked if they could be appointed to the comptroller position. Rappleyea thought that maybe they wouldn't want that. It all has to be done correctly.
- Swartz asked Rappleyea if we could first hire the firm and transition into the new system then abolish the Comptroller position. Rappleyea said that you do it so you have an overlap and don't end up with a hole.
- Rappleyea will review the information he was given by the Finance Committee and do the RFP.
- Swartz wanted to let everyone to know that he finds working with the Finance Committee a real pleasure.

PUBLIC HEARING

on Local Law #2-15 was opened at 7:40 PM to amending the zoning law to expand the Rural Lands Two Zone (RL-2).

Rappleyea gave a short history of the reason behind the request for this zoning change.

The Mitchison brothers own 20 acres of land on Bashford Rd.. They they'd like to subdivide it but because of the contour of the land and the way it's situated they can't divide it into 2 equal, 10 acre parcels in an RL1 zone. They could build 2 homes on the parcel but they wouldn't each own their own home. Their RL1 parcel abuts the RL2 zone. Looking at the conceptual zoning maps their parcel could be moved into the R2 zone so they can do 5 acre parcels. To help fulfill the "American Dream" of owning their own home they need this law would expand the RL2 zone. The proposed local law #2-15 would be applicable to parcel number 14.-1-6.210 and expand the Rural Lands-2 (RL2) zone near the NYS Thruway and Bashford Road. We have done this type of thing in the past.

- Lull asked if there have been any objections and Rappleyea said no.
- Jim Temple said that although he was not a close neighbor he is a neighbor and he is certain that these young men are going to be good neighbors.

There was no further comment and the Public Hearing was closed at 8:00 PM

NEW BUSINESS

A. Electronics recycling. The Board would like to speak to the Highway Superintendent who was not in attendance tonight so they'll bring it back again in July. Electronics recycling is currently closed until further notice.

OLD BUSINESS

A. Peddler's permit.

- DeGrootd said if the Board is interested in going forward they could schedule a public hearing.
- Rappleyea sent around a pared down version of another towns permit.
- Lull asked if there could be 3 exempt categories: not-for-profit, religious and political.
- Rappleyea said he could build that in if the Board wishes but he didn't want to over complicate things with exemptions.
- DeGrootd stated that this permitting process is not intended to be onerous.
- Lull said this is about protecting the citizenry from scams.
- Rappleyea will take another stab at it.

We'll bring it back in July

B. Climate Smart resolution.

C. Amending the zoning law to expand the Rural Lands Two (RL-2) zone.

- Rappleyea went through the SEQRA form.

RES. #86-15 to approve the negative declaration, as determined by the Short Environmental Assessment Form, on the proposed RL2 zoning amendment.

Councilman Lull offered RES. #86-15 and moved its adoption to approve the negative declaration as determined by the Short Environmental Assessment Form, on the proposed RL2 zoning amendment. Councilman Swartz seconded the motion.

VOTE

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

RES. #87-15 to amend the Zoning Law to expand the Rural Lands two (RL 2) zone to include one additional parcel on Bashford Road and NYS Thruway which shall be specific to the parcel currently bearing the tax map number of 14.-1-6.210. Supervisor DeGrootd offered RES. #87-15 and moved its adoption to amend the Zoning Law to expand the Rural Lands two (RL 2) zone to include one additional parcel on Bashford Road and NYS Thruway which shall be specific to the parcel currently bearing the tax map number of 14.-1-6.210. Councilman Swartz seconded the motion.

VOTE

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

- Swartz said that the White Mills Road bridge sign was in.
- Supervisor DeGrootd stated that in conversations with Congressman Gibson’s office there could be federal funding to assist with the cost of a traffic light at the East Chatham Bridge. This is also what they were talking to Senator Marchione’s office about as well.
- Swartz understands that there was an accident on the bridge because someone had to back down.
- Lull asked when Joe was planning on making the modifications. DeGrootd said as soon as he got approval from DOT.
- DeGrootd said that DOT has not yet issued the proper permits to commence work on the temporary barriers at the Route 295 and Abl. Tpk. Lull suggested that the letter regarding the accident be sent to DOT, maybe that will speed thing up. Swartz said that is accident is exactly why the Town wanted this project done asap. Balcom said he get a couple of calls a week regarding the Bridge.
- Swartz asked if we were to get money from Gibson’s office for a traffic light it would be a one shot thing, nothing long-term. Do we know what it would cost to operate this light? DeGrootd said he didn’t know. Swartz wanted to know for the budget time.

Temple wanted to know if the traffic signal would be on a fixed time? Not sure at this time.

- First we need to scare up the money for the light.
- Swartz wanted the community to know that they haven’t stopped working on ways to make this bridge intersection safer.

- Councilman Rohde asked who a resident can call in the event they have a noise complaint. Rappleyea said they talked about it at the ZIC meeting and how to better police it.
- Swartz spoke about the sound at the Behrens property and enforcement if PS 21 exceeds the allowable decibels at the property line. This is a problem. They are hoping that sound is not an issue once the structure is enclosed at PS21. They talked about the enforcement of noise complaints and who to call. We don’t’ have an ordinance of sorts, it’s called disturbing the peace which is pretty wide open which is why the police agencies can’t do much about it. Zoning code does say that the sound cannot exceed 90 decibels at the property line.
- Swartz stated that this is something we have to work on since the problem is ongoing and it was brought to the Board for a solution.
- Rappleyea said we have to think of ways for better enforcement.
- DeGrootd asked Rappleyea to take a look to see what other towns do in similar situations.

-RESOLUTIONS

A. to remove tires from the highway inventory.

RES. #88-15 to remove 6 used tires (a7.5R24 and 4 used tires (11R22.5) from Highway inventory and to sell as surplus due to no longer using their size. Supervisor DeGrootd offered RES. #88-15 and moved its adoption to remove 6 used tires (a7.5R24 and 4 used tires (11R22.5) from Highway inventory and to sell as surplus due to no longer using their size. Councilman Swartz seconded the motion.

VOTE

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

PUBLIC COMMENT

- Swartz said we still need to come up with an email policy. DeGroot said the Town Clerk will be working on this with IT person from the County, Rick Giuliani. The Clerk circulated email use surveys to town employees and has requested them back by the end of the month.

MOTION TO CLOSE MEETING

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

Respectfully submitted by,

Beth Anne Rippel
Town Clerk