

SPECIAL TOWN BOARD MEETING
TOWN OF CHATHAM
488 Route 295, Chatham, NY 12037
June 8, 2015
5:30 P.M.

PRESENT: Supervisor Jesse DeGroot, Councilman Jean Rohde, Councilman Maria Lull, Councilman Bob Balcom, Councilman Henry Swartz, Town Clerk Beth Anne Rippel

OTHERS: TRCA members

Supervisor DeGroot called the meeting to order at 5:30 P.M. and led the pledge to the flag.

EXECUTIVE SESSION

On a motion by Supervisor DeGroot, seconded by Councilman Rohde and carried the Town Board entered executive session at 5:30 PM in accordance with Public Officers Law §105 (1) for the purpose of discussing; (f) the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion.....

Motion was made by Councilman Balcom, seconded by Councilman Rohde to leave executive session at 6:27 PM. Motion carried.

At 6:30 PM Karen Murphy addressed the Board reading from the prepared document below;

1. I am co-counsel to TRCA which organization has a **right to representation at the "hardship" hearing**. I have been at every meeting and have never requested any adjournment or change of schedule in almost 1 year.
2. The appropriate adjournment is until the **next regularly scheduled meeting** or **7/16** and nothing sooner as that would impact on the citizens' notice and their meaningful opportunity to be heard. Noting the citizens' reliance on the Town's schedule and its long-standing tradition of holding Public Hearings on the 3rd Thursday of the month.
3. I heard that Mr. Slone is insisting on something at the end of June. Why the rush from his perspective. The hardship application was on the **April agenda** and the citizens were ready for this Board to vote on it as NOTHING was presented that would, under any precedent, qualify as a *bona fide* hardship to avoid the **moratorium** – a measure that was overwhelmingly supported by the public back in February and **enacted without any exception for this project**.
4. **ANY and ALL delay was caused by Slone in the hopes of "buying" the hardship relief** which we know he can not do as it would be ILLEGAL for our Town to engage in such negotiations but apparently he thinks he has something in hand and wants to press the vote NOW --- he does not run this calendar YOU do and it is your fundamental obligation and duty to do so in the interest of your citizens not Mr. Slone.
5. We have to get this **hardship determination RIGHT** because if you allow a hardship on what has been presented you will totally gut the protections afforded by the moratorium and you will set exceedingly bad precedent that anyone for any reason can elude the protections imposed on our fragile dirt road.
6. There is **no urgent or extraordinary or compelling reason to default out of the** Town's regular order of conducting its business.
7. **Any talk of grants** does not, and should not, infringe on the public's right to full notice so that there is a meaningful and robust opportunity to be heard at the Public Hearing. And, this is particularly the case as we are where we are in the calendar because of Mr. Slone's efforts at delay.
8. Moreover, linking any funding source, including Mr. Slone's, to the hardship

- relief is again not only ILLEGAL but fiscally irresponsible.
9. Please do NOT shortchange the citizens of Chatham but rather give us VOICE.

Murphy stated that she would not be prepared for a public hearing by June 24, she will have been traveling for business.

DeGrootd... let's get back to setting the date.

- Lull stated that a few minutes ago DeGrootd said everyone was in favor of June 24, yet this seems to not be the case.
- Supervisor DeGrootd stated that in an email sent by Murphy on May 30, 2015 Murphy requested that the hardship hearing be scheduled for a date after June 21, 2015. DeGrootd spoke to the applicant and the attorney and they settled on June 24 2015.
- Lull said that it's the July meeting, wants to put off re-opening the public hearing until then. This is an important issue. Everybody can be prepared and the Town can be prepared. DeGrootd asked the Board what they wanted to do;
- Swartz and Rohde are in favor of keeping the June 24 date.
- Lull, what's one more month? She feels that they have bent over backwards for the applicant and there are citizens who are not making an unreasonable request.

- DeGrootd wants to back up and discuss the proposal of tennis courts at Crellin Park. We have an offer for three courts at the park. Do we wish to entertain this or do we want to deny it?

- Swartz – “We”, meaning Mr. Balcom, with the support of Swartz, thought it would be a good idea to have the whole project at the Town Park; it would be beneficial to the Town as well as Slone. That prompted the conversation about keeping the courts at Crellin Park and lodging at Thomas Rd. . Slone didn't come to the Board with the idea of putting tennis courts at the park. Balcom proposed the idea to Slone discussing the collaboration between a non-profit and the municipality. This is where the notion of the Town taking a bribe came from. If we don't want the tennis courts then Slone goes back to the original plan which was to construct a tennis camp on his property at 206 Thomas Rd. Swartz said that they thought by removing the courts from Thomas Rd. it would alleviate the noise problem and smooth things over. But that doesn't seem to be the case.

- Lull asked why they are not deciding on a date to re-open the hardship hearing then move on to the next topic.

Swartz made a motion and Rohde seconded that motion to re-open the hardship hearing for LSYF on June 24, 2015.

DISCUSSION

- Lull stated that there are many people asking to hold off on this until July and we need to give them that consideration.
- Balcom thought maybe a date in between the 24 and mid-July.
- Swartz said that the 24th was decided on because they thought it would be helpful but apparently this was not. However, changing the date would be setting precedence and everyone would want the Board to comply if they couldn't make the scheduled date.
- Balcom said to schedule it for a normal town board meeting night then.
- Lull stated that if Andy Howard (one of the attorneys) couldn't make it the date would be changed.
- Murphy stated that she has never asked for a schedule change before. She cannot be prepared for a public hearing for 100 people.

RES. #82-15 to set June 24, 2015 as the date to re-open the public hearing on the LSYF hardship waiver. Councilman Swartz offered RES. #82-15 and moved its adoption to set June 24, 2015 as the date to re-open the public hearing on the LSYF hardship waiver. Councilman Rohde seconded the motion.

VOTE

AYES: DeGrootd, Swartz, Rhode NAYS: Balcom, Lull Resolution adopted

Murphy stated that she is disappointed with the Board. It would have been very easy to hold this meeting on another night. What is the urgency? There is none. DeGrootd stated again that Murphy asked to have the meeting after the 21st. Murphy said which implied that the public hearing would be held at the next town board meeting.

Tennis Courts

- Swartz stated that in light of the appearance that the Town was taking a bribe from Slone we shouldn't accept the tennis court offer.
- Balcom agrees, we can't have him using this as leverage. There's no assurance that this would happen, nothing in writing. Now that the date for the public hearing has been set we should stop discussion and proceed.
- DeGroot and Rohde both agreed.
- DeGroot stated that it was important that we had the discussions.
- Lull thanked the people who served on the committees; it is a process and let's hope that there something good to come out of it. She doesn't want any link between the hardship and the tennis courts.
- Balcom wants to clarify his discussion with Slone. He spoke to Slone but not as a Board member. We brainstormed and he picked up on one part of the discussion and used it. Balcom's thought was to move the entire tennis camp to Crellin Park and they needed to explore that possibility. This helped us to understand the communities need and also Slone's needs.
- Lull suggested a farm across from Crellin Park which she showed Sally Veillette as an alternative to Thomas Park. It would be a great location at a reasonable price and it was rejected. A lot of people have reached out with different solutions to try to bring both parties to a consensus.
- DeGroot stated that if we aren't going to do the courts then there is no reason for a committee. It was discussion based and exploratory.

DeGroot will verify the time for the public hearing on June 24th North Chatham Firehouse, we're looking at 6PM.

Comptroller Vacancy

- DeGroot stated that we did a lot of soul searching when we established the position of Comptroller and we did it for good reason. It provided us with great protections for the Town and to save the Town a few dollars may not be a benefit in this case. Comptrollers are involved in everything. He's not sure outsourcing is the way to go.
- Lull wants the Citizens Finance Committee to review and make recommendations to the Board once the accounting firms bid on the job. Many towns use outside services. *Addition to the minutes as per Lull: presented four CPA firms conversations and/or proposals to the Board for their consideration. These firms represent other towns in the county. Lull requested that the Citizens Finance Committee review and make recommendations to the Board on outsourcing the accounting. If the Board considered outsourcing then the accounting firm can bid on the job. Many towns use outside services.*
- Balcom understands DeGroot's view. It is a substantial cost difference so we can talk about it and come back with some input. It could save maybe \$50,000 if we outsource.
- DeGroot asked what we're going to get. but whatever it is we need to do it quickly.
- Swartz wants to see all the information that's available. Once the scope of the job is determined and everything complied it can go to the CFC for discussion.
- The supervisor works closely with the comptroller and when a supervisor appoints the accountant it seems backwards. A comptroller is accountable to everyone on the board, it makes for a more solid town financially.
- Lull stated that this a perfect opportunity to review the position, she wants to see salary, benefit package, full time, part time and get the recommendation from the CFC.

One last thing,

- Supervisor DeGroot read the email sent to him by Karen Murphy on May 30, 2015 asking that the public hearing on the LSYF be scheduled for after June 21, 2015.

Motion was made by Councilman Rohde, seconded by Councilman Balcom to adjourn at 7:05 PM. Motion carried.

Respectfully submitted,

Beth Anne Rippel
Town Clerk