

TOWN OF CHATHAM
ORGANIZATIONAL MEETING
January 5, 2015
7:00 P.M.

PRESENT: Supervisor Jesse DeGroot, Councilman Henry Swartz, Councilman Maria Lull, Councilman Bob Balcom

ABSENT: Councilman Jean Rohde

Others present: Amelia Teasdale

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

RES. #1-15 To name Attorney for the Town.

Offered by Supervisor DeGroot, moved adoption to name Tal Rappleyea as Attorney for the Town, salary set at \$10,000.00 as the general retainer and to allow payment of \$125/hr. for all litigation or other similar substantial work. Councilman Swartz seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom, nays: None Resolution adopted

RES. #2-15 To appoint member to Planning Board for seven year term.

Offered by Councilman Swartz, moved adoption to appoint Aven Kerr, member of Planning Board for seven-year term, 2015-2021. Councilman Lull seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom, nays: None Resolution adopted

RES. #3-15 To name Chairman, Planning Board.

Offered by Councilman Lull, moved adoption to name Marilyn Cohen as Planning Board Chairman. Councilman Balcom seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom, nays: None Resolution adopted

RES. #4-15 To name Deputy Planning Board Chairman.

Offered by Councilman Balcom, moved adoption to name Donna Staron as Deputy Planning Board Chairman. Supervisor DeGroot seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom, nays: None Resolution adopted

RES. #5-15 To set dates of Regular Town Board Meetings.

Offered by Supervisor DeGroot, moved adoption to set dates of the regular monthly Town Board meetings for 2015 on the 3rd Thursday of each month at 7:00p.m. Councilman Swartz seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom, nays: None Resolution adopted

RES. #6-15 To set Town Board Workshop Meetings.

Offered by Councilman Swartz, moved adoption to set dates of Town Board Workshop meetings as needed on the first Thursday of each month at 7:00 p.m. in the Town Hall. Councilman Lull seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #7-15 To designate official newspaper.

Offered by Councilman Lull, moved adoption to name The Chatham Courier and/or The Register Star and/or the Columbia Paper as official newspapers for the Town of Chatham. Councilman Balcom seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #8-15 To designate official depository.

Offered by Councilman Balcom, moved adoption to name National Union Bank of Kinderhook as official depository. Supervisor DeGroot seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #9-15 To allow Supervisor to invest funds.

Offered by Supervisor DeGroot, moved adoption to allow supervisor to invest town funds in other banks to obtain the best interest rate for the Town. Councilman Swartz seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #10-15 To set up petty cash funds.

Offered by Councilman Swartz, moved adoption to set up Petty Cash Funds of \$100.00 for the Tax Collector, \$200.00 for the Town Clerk, \$100.00 for Recreation Director, \$100.00 for the Justice Court Councilman Lull seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #11-15 To authorize Town Comptroller to pay bills early.

Offered by Councilman Lull, moved adoption to authorize Town Comptroller to pay electric, telephone, postage, freight and express claims in advance of audit. Councilman Balcom seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #12-15 To authorize Town Comptroller to file Annual Report.

Offered by Councilman Balcom, moved adoption to authorize Town Comptroller to submit to Town Clerk, within 60 days after close of the fiscal year, a copy of the Annual Report to the State Comptroller in lieu of annual financial report. Supervisor DeGroot seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #13-15 To authorize the Supervisor to designate Budget Officer at no salary.

Offered by Supervisor DeGroot, moved adoption to authorize Supervisor to designate Budget Officer at no salary. Councilman Swartz, seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #14-15 To appoint Town Comptroller as Town Accounting Officer.

Offered by Councilman Swartz, moved adoption that the Town Comptroller shall be the town accounting officer and the accounting duties of the Supervisor shall be and hereby are transferred to the accounting officer. Councilman Lull seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #15-15 To hire an engineer for town.

Offered by Councilman Lull, moved adoption to hire an engineer for town on a fee basis as needed. Councilman Balcom seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #16-15 To name Animal Control Officer.

Offered by Councilman Balcom, moved adoption to name Wes Powell as Animal Control Officer at a rate of \$7,070.00/Yr. Supervisor DeGroot seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #17-15 To name Zoning & Code Enforcement Officer.

Offered by Supervisor DeGroot, moved adoption to name Walter Simonsmeier, Zoning & Code Enforcement Officer at a rate of \$35,714.00/Yr. Councilman Swartz seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #18-15 To name Zoning Board of Appeals Secretary.

Offered by Councilman Swartz, moved adoption to name Shari Franks Part-Time Zoning Board of Appeals Secretary, 5 hours per week, at a rate of \$11.00 per hour. Councilman Lull seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom, Rohde nays: None Resolution adopted

RES. #19-15 To pay mileage.

Offered by Councilman Lull, moved adoption that mileage expense for Town business is reimbursable at the prevailing IRS rate per mile. Councilman Balcom seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #20-15 To fix wages of Highway Department Employees.

Offered by Supervisor DeGroot, moved adoption to fix wages of Highway Department Employees for 2015 as per contract. Supervisor DeGroot seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

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RES. #21-15 To pay employees bi-weekly.

Offered by Supervisor DeGroot, moved adoption to pay Town Clerk/Tax Collector, Town Supervisor, Court Clerks, Planning & Zoning Secretary, First Deputy Town Clerk, Zoning & Code Enforcement Clerk, Zoning & Code Enforcement Officer, Assessor Clerk, Maintenance Worker, Highway Superintendent, Deputy Highway Superintendent, Highway Clerk, Confidential Secretary, Highway Employees and Recreation employees, bi-weekly. Councilman Swartz seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

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RES. #22-15 To fix salaries of elected officials.

Offered by Councilman Swartz, moved adoption to fix salaries of elected officials as follows:

Supervisor		\$	14,000.00
Councilman	4 @	\$	4,500.00
Justices	2 @	\$	12,019.00
Town Clerk/Tax Collector		\$	31,209.00
Highway Superintendent		\$	58,471.00

Councilman Lull, seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

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RES. #23-15 Justices to name own Court Stenographers.

Offered by Councilman Lull, moved adoption to authorize Justices to name own Court Stenographers at the following rates: \$75.00 per Appearance Fee, \$125.00 after 3-hours, an additional \$75.00 after 11:00PM, \$225.00 for an entire day and any other necessary fees that may be incurred. Transcript fees: \$3.75 per page (only one person-ordering transcript), \$2.50 per page (if more than one person orders transcript) and any other fees that may come necessary. Councilman Balcom seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

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RES. #24-15 To name Court Clerk.

Offered by Councilman Balcom, moved adoption to name Sandra LeClair, Full-Time Court Clerk and Joan Goold, Part-Time Court Clerk. Supervisor DeGroot seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

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RES. #25-15 To name Planning Board Secretary.

Offered by Supervisor DeGroot, moved adoption to name Gail Chamberlain as a part-time clerk to the Planning Board, 5 hours per week, at a rate of \$13.27 per hour. Councilman Swartz seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

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RES. #26-15 To authorize Deputy Supervisor and 2nd Deputy Supervisor and to sign checks in absence of Supervisor.

Offered by Councilman Swartz moved adoption to authorize Deputy Supervisor and 2nd Deputy Supervisor to sign checks in the absence of the Supervisor. Councilman Lull seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

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RES. #27-15 To appoint member to Zoning Board of Appeals for seven-year term.

Offered by Councilman Lull, moved adoption to appoint Adrianus Ooms as a member of Zoning Board of Appeals for a seven-year term, 2015-2021. Councilman Balcom seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

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RES. #28-15 To name Chairman, Zoning Board.

Offered by Councilman Balcom, moved adoption to name David Everett as Chairman, Zoning Board. Supervisor DeGroot seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

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RES. #29-15 To name Deputy Chairman, Zoning Board.

Offered by Supervisor DeGroot, moved adoption to name Mitchell Khosrova as Deputy Chairman, Zoning Board. Councilman Swartz seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

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RES. #30-15 To name Registrar of Vital Statistics.

Offered by Councilman Rohde, moved adoption to name Beth Anne Rippel as Registrar of Vital Statistics at an annual salary of \$1,500. Supervisor DeGroot seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

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RES. #31-15 To name Deputy Registrar of Vital Statistics.

Offered by Councilman Lull, moved adoption to name Elizabeth Horst as Deputy Registrar of Vital Statistics at an annual salary of \$300.00. Councilman Balcom seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

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RES. #32-15 To name Records Manager.

Offered by Councilman Swartz, moved adoption to name Town Clerk Beth Anne Rippel as Records Manager. Councilman Balcom seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

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RES. #33-15 To fix salaries of appointed officials and employees. Offered by Councilman Balcom, moved adoption to fix salaries of appointed officials and employees.

<u>OFFICE</u>	<u>SALARY</u>
Assessor	\$ 21,846.00/Annual
Assessor Clerk	\$ 11.33/Hr.
Animal Control Officer	\$ 7,070.00/Annual
BAR Chair	\$ 900.00/Annual
BAR Member (2)	\$ 900.00/Annual
Comptroller	\$ 28,634.00/Annual
Confidential Secretary (Supervisor)	\$ 20.58/Hr.
Confidential Secretary (Highway)	\$ 20.58/Hr.
Court Clerk (FT)	\$ 40,641.00/Annual
Court Clerk (PT)	\$ 14.33/Hr.
Deputy Highway Superintendent	\$ 52,672.00/Annual
Maintenance Worker	\$ 15.00/Hr.
Planning Board Chairman	\$ 3,700.00/Annual
Planning Board Deputy Chairman	\$ 3,100.00/Annual
Planning Board Members (5)	\$ 2,655.00/Annual
Planning Board P/T Secretary	\$ 13.27/Hr.
Town Clerk, First Deputy	\$ 12.00/Hr.
Town Historian	\$ 750.00/Annual
Zoning Board, Chairman	\$ 3,700.00/Annual
Zoning Board, Deputy Chairman	\$ 3,100.00/Annual
Zoning Board Members (5)	\$ 2,655.00/Annual
Zoning Board P/T Secretary	\$ 11.00/Hr.
Zoning & Code Enforcement Officer	\$ 35,714.00/Annual

RECREATION

Recreation Director	\$ 30,000.00/Annual
Head Counselor (3)	\$ 9.00/Hr.
Supervising Counselor (3)	\$ 9.25/Hr.
Recreation Counselors (3)	\$ 9.00/Hr.
Recreation Counselors/Training (3)	\$ 8.75/Hr.
Waterfront Director (1)	\$ 12.50/Hr.
Head Lifeguard (1)	\$ 11.50/Hr.
Supervising Lifeguards (3)	\$ 10.00/Hr.
Lifeguard (2)	\$ 9.50/Hr.
Junior Lifeguard (2)	\$ 9.00/Hr.
Maintenance (Crellin Park)	\$ 15.00/Hr.
Maintenance (Crellin Park)	\$ 13.50/Hr.

Supervisor DeGroot seconded the motion.

VOTE: Ayes: DeGroot, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #34-15 To pay Deputy CEO/ZEO.

Offered by Supervisor DeGrootd moved adoption to pay the Deputy CEO/ZEO at a rate of \$10.00 per hour. Councilman Swartz seconded the motion.

VOTE: Ayes: DeGrootd, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #35-15 To adopt “Robert’s Rules” as the “Rules of Procedure” for the Town Board, Planning Board, and Zoning Board of Appeals.

Offered by Councilman Swartz, moved adoption to use “Robert’s Rules” as the Town Board “Rules of Procedure”. Councilman Lull seconded the motion.

VOTE: Ayes: DeGrootd, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #36-15 That the Town Board of the Town of Chatham authorizes and delegates to the Town Supervisor, powers and duties of day to day administration and supervision of all Town and special district facilities and employees consistent with and in the furtherance of any and all State and Federal Laws applicable thereto and with any and all local laws, resolutions or policy heretofore and hereafter adopted by this Town Board.

Offered by Councilman Lull, moved adoption authorizing and delegating to the Town Supervisor, powers and duties of day to day administration and supervision of all Town and special district facilities and employees consistent with and in the furtherance of any and all state and federal laws applicable thereto and with any and all local laws, resolutions or policy heretofore and hereafter adopted by this Town Board. Councilman Balcom seconded the motion.

VOTE: Ayes: DeGrootd, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #37-15 To appoint Deborah Cesternino Town Comptroller for the period of January 1, 2015 through December 31, 2016.

Offered by Councilman Balcom, moved adoption to appoint Deborah Cesternino as Town Comptroller for the period of January 1, 2015 through December 31, 2016. Councilman Lull seconded the motion.

VOTE: Ayes: DeGrootd, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #38-15 To appoint David Levow, Jeff Lick, and Aven Kerr to the Citizen’s Finance Committee.

Offered by Supervisor DeGrootd, moved adoption to appoint David Levow, Jeff Lick, and Aven Kerr to the Citizen’s Finance Committee. Councilman Swartz seconded the motion.

VOTE: Ayes: DeGrootd, Swartz, Lull, Balcom nays: None Resolution adopted

RES. #39-15 To name Carol Pinkowski and Liz Chapman to the Office for the Aging Advisory Board.

Offered by Supervisor DeGrootd, moved adoption to name Carol Pinkowski and Liz Chapman to the Office for the Aging Advisory Board. Councilman Swartz seconded the motion.

VOTE: Ayes: DeGrootd, Swartz, Lull, Balcom nays: None Resolution adopted

OTHER APPOINTMENTS:

Town Clerk appointments:

1st Deputy Clerk Elizabeth Horst

Supervisor appointments:

Deputy Supervisor	Jean Rohde
2 nd Deputy Supervisor	Henry Swartz, Jr.
Town Historian	Catharine Bell
Maintenance Worker	Pete Latham
Budget Officer	Jesse DeGrootd
Confidential Secretary	Tammy Shaw
Deputy Bookkeeper	Tammy Shaw

Highway Superintendent appointment:

Deputy Highway Superintendent	Timothy Calyer
Confidential Secretary	Tammy Shaw

SUPERVISOR COMMITTEE APPOINTMENTS:

Bargaining Committee	Rohde, Lull
Court Liaison	Rohde, Balcom
Cable T.V.	Swartz, Balcom
Communications	Lull, Balcom
Computer	Rohde, Lull
Crellin Park	Rohde, Swartz
Disaster Planning	Swartz, Balcom
Finance	Swartz, Balcom
Fire & Building Code	Swartz, Lull
Building & Supply	Rippel, Balcom
Highway	Rohde, Swartz
Insurance	Swartz, Balcom
Planning / Zoning	Rohde, Lull
Programs for Aging	Lull, Balcom
Public Health	Lull, Balcom
Public Safety	Swartz, Lull
Real Property Tax	Rohde, Balcom
Town Hall	Rippel, Lull
Village Liaison	Rohde, Swartz
Youth	Rohde, Lull

MEMBERS AND TERMS OF VARIOUS BOARDS:

***Planning Board:**

Marilyn Cohen (Chair)	2013 -- 2019
Antonie Ooms	2014 -- 2020
Aven Kerr	2015 -- 2021
Wendy Carroll	2012 -- 2018
Donna Staron (Deputy)	2011 -- 2017
Bonnie Schoonmaker	2010 – 2016
Michael Hart	2009 – 2015

***Zoning Board of Appeals:**

Adrianus Ooms	2015 - 2021
Mitchell Khosrova (Deputy)	2015 - 2020
Robert Leary	2013 - 2019
Jeff Lick	2012 - 2018
P.J. Henkel	2011 - 2017
David Everett (Chair)	2010 - 2016
Kary Jablonka	2009 - 2015

***Board of Assessment Review:**

Marjorie Cartwright	10/1/07 - 9/30/2017
Steve Anderson	10/1/11 - 9/30/2016
Gail Day	10/1/11 - 9/30/2015

RES. #40-15 To enter into an agreement with Questaterra, LLC for the payment of Municipal Review Expenses. Supervisor DeGrootd offered RES. #40-15 and moved its adoption.

**AGREEMENT FOR THE PAYMENT OF
MUNICIPAL REVIEW EXPENSES**

This Agreement dated December 29, 2014 by and between the Town of Chatham, a municipal corporation with its principal office located at 488 Route 295, Chatham, New York 12037 (hereinafter referred to as the “Town”) and QUESTATERRA, LLC, with its principal place of business located at PO Box 364 Chatham, NY 12037.

WHEREAS, QUESTATERRA, LLC has submitted an application to the Town of Chatham Planning Board (“PB”) and Zoning Board of Appeals (“ZBA”) for modification of a prior Site Plan approval and the issuance of a Special Use Permit, respectively, for a performing arts facility located on Route 66, Town of Chatham, New York; and

WHEREAS, the ZBA is acting as Lead Agency for the SEQRA review of this project; and

WHEREAS, QUESTATERRA, LLC recognizes that the Town will be required to engage engineering, legal and other professional services to conduct a timely and thorough review of the project;

NOW THEREFORE, in consideration of the mutual promises herein, the Town and QUESTATERRA, LLC agree that the terms and conditions of this Agreement are the following:

1. QUESTATERRA, LLC shall reimburse the Town in full for all reasonable and necessary engineering, legal and other professional fees incurred in connection with the review of this project, including but not limited to compliance with SEQRA and all other approvals required from the Town of Chatham. QUESTATERRA, LLC shall not be required to reimburse the Town for any legal, engineering or other professional fees associated with any litigation related to the project.
2. Upon execution of this Agreement, QUESTATERRA, LLC shall deposit the sum of \$14,000.00 with the Chatham Town Comptroller whom shall hold the funds in escrow to be used to pay the reasonable and necessary engineering, legal and other professional fees incurred in the review of the project.
3. In accordance with the Town of Chatham Code, the Town shall submit an itemized bill to QUESTATERRA, LLC, through its attorneys or designated representative, at least 5 days prior to any deduction of such amount billed from the escrow account.
4. The Town shall notify QUESTATERRA, LLC in writing if the escrow account balance shall drop below \$8,000 and QUESTATERRA, LLC shall replenish the escrow account balance to \$14,000 within 20 days of such notification. The parties agree that failure by QUESTATERRA, LLC to replenish same within 20 days of such a request by the Town shall result in a suspension of the review of any application before any of the Town Boards and any such suspension shall not be counted against any time frame for action by such Board(s).
5. Upon completion of the application and review process, any balance remaining in the escrow account shall be refunded to QUESTATERRA, LLC within 30 days of the submission and payment of the final bill by the Town and payment in full of all application and approval fees.

TOWN OF CHATHAM

QUESTATERRA, LLC

By _____
 Print Name Jesse DeGrootd
 Title Supervisor
 STATE OF NEW YORK :
 COUNTY OF COLUMBIA :

By _____
 Print Name Judith Grunberg
 Title Owner

ss.

On this 9 day of Jan., 2015 before me personally came Judith Grunberg, to me known, who being by me duly sworn did depose and say that he/she is the Owner, the individual described herein and who executed the foregoing instrument, and that he/she signed his/her name thereto as authorized by QUESTATERRA, LLC.

Beth Anne Rippel _____
Notary Public

STATE OF NEW YORK:
COUNTY OF COLUMBIA: ss.

On this 18th day of December, 2014 before me personally came Jesse DeGrootd, to me known, who being by me duly sworn did depose and say that he/she is the Supervisor of the Town of Chatham, the individual described herein and who executed the foregoing instrument, and that he/she signed his/her name thereto as authorized by the Town Board of the Town of Chatham.

Beth Anne Rippel _____
Notary Public

Signed copy on file with ZB.
Councilman Balcom seconded the motion.

VOTE: Ayes: DeGrootd, Swartz, Lull, Balcom nays: None Resolution adopted

Motion was made by Supervisor DeGrootd and seconded by Councilman Swartz to adjourn at 7:30 P.M.
Motion carried.

Respectfully submitted by,

Beth Anne Rippel
Town Clerk