

**Town of Chatham
488 State Route 295
Chatham, NY 12037**

**Special Town Board Meeting
Thursday, January 21, 2016, 5:00 PM**

PRESENT: Supervisor Maria Lull, Councilman Bob Balcom, Councilwoman Landra Haber, Councilman Henry Swartz, Councilman John Wapner

Supervisor Lull called the meeting to order at 5:00 PM and led the pledge to the flag.

Executive Session:

On a motion by Councilman Balcom, second by Councilman Wapner and carried the Board entered executive session at 5:00 PM in accordance with Public Officer's Law Section 105 (1) (f) for the purpose of discussing the 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. Motion was made by Councilman Balcom, seconded by Councilman Wapner to leave executive session at 7:10 PM. The motion carried.

**Regular Town Board Meeting
Thursday, January 21, 2016**

PRESENT: Supervisor Maria Lull, Councilman Bob Balcom, Councilwoman Landra Haber, Councilman Henry Swartz, Councilman John Wapner, Rec. Director Shari Franks, Highway Super. Joe Rickert, Town Clerk Beth Anne Rippel, Justice James Borgia-Forster

Also present were members of the community

Supervisor Lull called the Town Board Meeting to order at 7:10 PM and led the pledge to the flag. Lull stated for the benefit of those who did not attend the first Board meeting of the year that her son gave her a gavel and she hoped that she would never have to use it.

Public Hearings for Fire Departments

Chatham: No Fire Department representatives were present.

Niverville for \$24,966.00: Lull asked representative Robert Hawley to confirm the contract amount and asked if he had the contract. Hawley confirmed the amount but he did not have the contract. Lull asked if Hawley had something else for her. He explained that he only had his personal paperwork. Lull asked if Hawley wanted to make a presentation for the Board.

Swartz asked what the Board was doing. Lull replied that they were having a public hearing for the Town's allocations for the Fire Departments. Swartz stated that the Board previously agreed that if they needed anything out of the ordinary from the Fire Departments, they would let the representatives know ahead of time, and that he could tell Hawley did not have a clue what

the Board was asking after the one tax document had already been provided. Swartz concluded that the Board had never done this in the past to the Fire Departments, they've been put the on the spot and he didn't think that the Board's current approach was very fair. Lull replied that the Fire Departments were asked to come in, meet with the Board, and provide the IRS forms or financial figures. Swartz said that Hawley did give the IRS forms. Lull added that he was also to speak with the Board.

Hawley briefly discussed the contract, explaining that it had a small increase for a dry hydrant. They did the work themselves.

Lull opened the **Public Hearing for the Niverville Fire Department** contract at 7:13 PM. There was no public comment about the contract and the hearing was closed at 7:14 PM.

Town Clerk Beth Anne Rippel asked if Hawley's comments were part of the Public Hearing and Lull said they were not.

Hawley mentioned that the Niverville Fire Department is having their 100th Anniversary the last weekend in July, coinciding with the Columbia County Fireman's Convention. The department has been collecting money and budging for this event for years, and it will be family-oriented, include live music, and open to the public. Lull thanked Hawley for coming.

Lull stated that the Board would get in touch with Chatham and Tri-Village. A representative from Tri-Village stated that he was present and would address the board.

Tri-Village for \$193,800: Alan Kaufman, new president thanked the Board for their support. He also thanked the community for all of their support over the years and mentioned that they were always looking for new volunteers.

The **Public Hearing for the Tri-Village Fire Department** contract opened at 7:17 PM. Ms. Henderson asked if there is an available budget for review and Lull stated that it is in the Town Clerk's office for anyone who wants to look at it. The hearing was closed at 7:18PM.

CORRESPONDENCE

Planning Board: Submitted a resolution urging the reappointment of Mike Hart. Lull stated that the Planning Board has an opening and the Town Board is going to interview for that seat as well as a seat on the Zoning Board of Appeals. She added that the Town treasures Mike's experience on the Planning Board.

Jim Temple: Email about the Board's process in reviewing the new Zoning Code. Lull stated that the Board has not determined the process yet but the Code will be in the Town Clerk's office if anyone wants to review it.

Mary Gail Biebel: Regarding the Farm Festival. Lull stated that the festival is a wonderful afternoon at the Crandall Theater and part of the Chatham Agricultural Partnership, so if anyone is interested then they should get in touch with Biebel.

Sandy LeClair: Retirement letter [mistakenly referred to as a resignation letter], to be discussed under new business.

Swartz, seeing that representatives from the East Chatham Fire Department were present, asked if the Board was going to review their contract. The representatives replied that they were present for other business.

PUBLIC COMMENT

Supervisor Lull read her regular opening statement.

Julia Veronezi: Spoke in regards to the January 7th interview after applying for the open Town Board seat now held by John Wapner. Veronezi thanked Swartz for supporting her for that position, stating that Swartz is obviously a representative of his constituents, especially in recognizing that she was the third highest vote-getter during the elections and won District 2, which includes the Village. Swartz also had taken into consideration Veronezi's commitment, willingness to serve, leadership experience, and the need for representation in the southeastern part of the Town in which she resides. Veronezi emphasized the need for every represented official to be committed to representation of the people, by the people, and for the people and concluded by thanking Swartz once more.

Wayne Coe, an artist and resident of the Village, addressed the actions of John Wapner as the president of the Board of Education. For two years, Coe was embroiled in battling the closing of the Chatham Middle School with a large number of the community. The decision did not represent the community and certainly did not represent the kids, since a poll in the Chatham Press showed that over 90% of the kids thought the idea of closing the school and cramming them down the hill from three buildings down to two was dangerous and unsatisfactory, written about by Parry Teasdale. The plan was unanimously dissented, which Coe mentioned has given him a sense of peace and calm, knowing that the threat has been taken away.

Coe went on to discuss the school's fiscal situation. When the school system was under Wapner's supposed leadership, it was audited by the NYS comptroller for two years, and the comptroller was so stunned by what they saw, that they also looked into the past four years. The audit said that the Board of Education and the School Superintendent overtaxed taxpayers over \$500,000 a year, and hid \$2,900,000 from productive use in a premeditated manner by putting the money in six different accounts to give the appearance that they were conforming to Real Property Tax Law. Coe stated that all taxpayers should be concerned with what the BOE is doing with their money. He added that that BOE claimed for years that they had a fiscal cliff and were in fiscal trouble, but that the audit proved otherwise, reporting that the fiscal cliff was fictitious and merely an attempt to close the wrong building. Coe concluded that if this represents leadership, it is a failure. He saw plenty of fiscal shenanigans and, from his point of view, Wapner was not the type of person that he wants representing the Town.

Karen Murphy commented on the Zoning Implementation Committee's document: She mentioned how an enormous effort went into writing the Comprehensive Plan (CP) and the Board's moratorium was a courageous act to make sure the CP was implemented in the right way. Murphy said the ZIC operated without public participation even though they asked to be involved, but she hoped the Board would do two things: 1) Create a citizen's committee to allow absolute public participation in every step and 2) Make sure there is a consultant to provide technical support and land use expertise to work with the citizen's group and update the CP. Murphy added that since the CP was written in 2002 and adopted in 2009, but that it is now 2016, the world has changed and the CP needs to be updated as well.

Linda Ziskind had some questions about the ZIC report and went on at length to discuss the CP

language, the intent of the ZIC's recommendations, the way that zoning was established, special use permits in relation to preserving agricultural uses, and more. She wondered, in regards to the overall process, if her questions should be sent to the Town Board or to the ZIC. Lull replied that the Board needed to understand the document first, but that she can send in her questions.

Ziskind also echoed what Murphy said about having citizens in the review group and that the process would not be possible without hiring a land use and planning consultant.

Carissa Fare spoke about the Chatham Recreation Program: She and her husband were nonresidents and small business owners in the Village, and their children attended the Summer Program for many years. She had heard many rumors about how the Program will be dismantled or run by volunteers, and she wanted to give her input about how invaluable the Program is to kids. Her daughter has attended for seven years and son for four years. The Program is beautiful and affordable and she did not know what else her children would do during the summer except stay home to stare at the TV or play on the computer. There are many benefits to the Program, including being able to play outside, make friends with both peers and the counselors, learn about gardening through the phenomenal Garden Program, and more. She concluded that she hoped the Board would take into consideration all the benefits for the kids when they make a decision about the Recreation Program.

Van Calhoun, who was on the Comprehensive Plan Committee for several years, commented that when the ZIC worked with the Comprehensive Plan in the three to five year process, they should be doing some updating, since it was the intent of the Plan to be easy to update.

REPORTS

A. Resident Deputy Sheriff: Lull stated that she spoke to Chad Shufelt and Travis Van Alstyn and reported that even though they were not present they said they would like to come before the Board periodically and make a report, so they will continue to appear on the Board's report schedule for when they are able to come.

B. Highway: Superintendent Joe Rickert submitted his paper report for the file. Of special note, he stated that in his communication with Jeff Cleary from Senator Kathy Marchione's office, the Town was approved for a \$100,000 traffic light grant and he will be completing the necessary forms shortly. Rickert recognized Adelle Kleiman-Levine for being a great advocate in getting petitions out and putting him in contact with the Senator's office. He hopes to start a bidding process soon, get the project underway by June 1, and complete everything by December 31. Rickert also will be in contact with Barton & Loguidice about funding for the additional \$80,000. He concluded by reminded the Board about the procedure, including the creation of a new account to secure the funds so that the contractors can be paid before the grant funds come in, which may have a three to six month waiting period.

C. Recreation: Director Shari Franks stated that she submitted a report last fall and that there were a lot of questions about the Park but that they had not been posed to her. She spoke with the Morris Memorial Board of Directors about a proposal to take over the Park and wondered what was happening with that. Lull replied that the Board was in conversation. Franks asked if everyone on the Board was aware of the proposal. Swartz replied that he was aware of it as of that night since he had just heard about it. Franks asked what the Board's reasoning was for it. Lull replied that as stewards of the Town funds, the Board wanted to make sure that they were exploring all the options. Franks asked if the Board was aware that the reason for the Town initially taking the Park Program from Morris Memorial was because the latter was not fiscally

responsible. Many Towns in Columbia County have their own town parks. Lull agreed. Franks asked where the transparency is and why the Board could not talk to her as Recreation Director so that she was aware of the events going on. Lull replied that the Board was in exploratory mode. Franks stated that the only way that the Board thought that they could get rid of her was by giving the Park Program to the Morris, based off a quote she heard. Lull said that she did not know where Franks was getting her information and asked where the quote came from. Franks replied that it was from a source in Town and that she wanted to know why she was not spoken to. Lull replied that it was not the time. Franks replied that she has been managing the Park for 15 years whether or not the Board was happy with that, and now the Board has made it clear that they have done everything to try and dismantle recreation. Balcom stated that it was inappropriate to discuss the matter in this forum. Franks replied that it was not inappropriate because it was in her report. Balcom repeated that it was inappropriate. Franks provided her resignation letter and stated that the Board would be happy that they would not have to discuss anything further with her. She expressed that she was sorry for the community kids and their parents who believe in the park and have dedicated their hearts and souls to the program. She was very sorry that the Board completely disregarded the work that has gone into the Park from the Town and State grants, but at least the Board did not have to get rid of the Park because they were getting rid of her as she made it very simple for them. Franks concluded that she was sorry for the taxpayers because they were in for a good one.

D. Building: Lull reported that since Zoning Enforcement Officer Walt Simonsmeier retired as of December 31, people have been clamoring for building inspections. She hired Vince Concra, Building Inspector for Valatie and Stockport, as an interim. The Board plans to interview a number of applicants and while there was no report in the meantime, but the office was being adequately covered. The Town will be hiring a new Building Inspector/CEO soon.

E. Animal Control: Lull asked Rippel if there was a report from the Animal Control Officer. Rippel replied that she did not know that the Town had an ACO, and further explained after some questioning that while the Board had appointed an ACO position at the Organization Meeting, they had not appointed a specific person to the position. Lull said there was no name but the position was there. Swartz said if there was no person, how can there be a report. Swartz stated that the matter was not funny and Rippel agreed. Lull asked Rippel to confirm that Wes Powell provided a report in November and December, but that no word had been heard from him after that point. Rippel confirmed and asked if Lull contacted him. Lull said she had not.

F. Environmental Management Council: Deidre Henderson stated that the County was working on several things, with one being a water protection plan, which Chatham has had on and off depending on funding. Funding is also needed for a County-wide comprehensive plan, and existing Town plans would assist be helpful in expanding a plan for the entire county. Also, the County Planning Department is working on obtaining a more robust GIS system for all Towns to use. There are now eight Towns in Columbia County that passed the Cooperstown Climate Change Resolution, and Chatham was the second, which is good because 2015 was the hottest year on record.

G. Justice Court: Report on file. James Borgia-Forster explained about the process of the Justice Court and Village of Chatham working together to apply for a grant from the Office of Court Administration to install a lift at the Tracy Memorial Village Hall. He also mentioned additional funding for computer support, a security window, and a copier. The Court has six months to spend the \$18,000 and Borgia-Forster and Lull already talked to the Village at the

Friends of Tracy meeting. Borgia-Forster believed the Village was taking on responsibility for installation and he suspected the total cost would be \$40,000 to \$50,000 with the grants in place.

Swartz asked about restrictions on the Tracy and Borgia-Forster explained that it was just put on the historic registry so they will need to work with an architect in removing the light fixture and a section of the bannister. Borgia-Forster stated that the upstairs room was an unbelievable resource, not only for the Town Court but also for Town and Village board meetings.

Borgia-Forster also mentioned the clerk situation, with work at the court increasing and the fulltime clerk Sandy LeClair retiring soon. He would like Joan Goold to be put on as a new fulltime clerk and ads to be posted for another clerk. The Board said they would pass a resolution later for a part-time clerk at \$15 an hour.

Balcom asked if there was anything Borgia-Forster needed from the Board in regards to the Tracy plans. Borgia-Forster replied that he needed to know when the grant money was received, and then he would determine how the Town would pay back the Village for hiring a contractor. He would follow up with the Mayor and hoped that the Friends of the Tracy will raise the rest of the money needed for the lift. There was some discussion about the Court office space, what the Town owed the Village, and how money would be reserved or transferred appropriately.

H. Assessor: No report

I. Zoning Implementation Committee: No report

J. Supervisor: Lull mentioned that under County business, she was appointed to several committees, some of which already met. Under Town business, she stated that the Accounting Firms did not meet their two deadlines. Also, the Bookkeeper put together abstracts that require signatures, and Lull encouraged the Board to look at the abstracts and bills, since they would be addressing those on monthly basis. Finally, she asked a county firm for a monthly report which was not forthcoming, but another part of the meeting will address that.

K. Accounting: The Book keeper has put together abstracts for the Board to review and sign off on. This will be done on a monthly basis. The Town accounting firm has not met their obligations to the Town from January 8 and 15. They have been asked for monthly reports which had not been forthcoming. So we will deal with that later in the meeting.

L. Town Clerk: Rippel reported that a little over \$2,000,000 was received so far in the tax season, which was 33% of the \$6,000,000 that the Town will take in. The Town is about \$35,000 away from its levy amount, which will all be in by the following day.

NEW BUSINESS

East Chatham Fire Department: Several officers present introduced themselves and explained that they are in the process of upgrading a fire truck, and discovered that they will need a Public Hearing on public financing. The Board agreed to hold one at the next meeting on February 18 at 7:00 PM. Lull added that she discussed this with interim Attorney Tal Rappleyea and that it was accurate and would not create any liability for the Town but helps the Fire Department with the interest rate. She asked the Town Clerk to post a notice at the Town Hall. East Chatham stated they would place an ad in the paper. Swartz clarified that the Public Hearing was a formality to show that the Town will be there to help the Fire Department if needed.

RES. #45-16 to Hold a Public Hearing for the East Chatham Fire Department.

Offered by Councilman Henry Swartz, motion to hold a Public Hearing for the East Chatham Fire Department on February 18th at 7:00 PM. Councilman Bob Balcom seconded.

VOTE

Ayes: Lull, Balcom, Haber, Swartz, Wapner Nays: None Resolution adopted.

RES. #46-16 to expend highway funds for 2016. Councilman Haber offered Res. #46-16 and moved its adoption, Councilman Wapner seconded the motion.

VOTE

Ayes: Lull, Balcom, Haber, Wapner, Swartz Nays: None Resolution adopted

OLD BUSINESS

Building Inspector/CEO: The Board interviewed several individuals earlier. Swartz stated that he recused himself from the interview process and voting because his employment created a conflict of interest. Wapner stated that one candidate appeared different from others. James Quinn had a different background and showed that he was very motivated for the position. Wapner hoped that Quinn could attend school as quickly as possible, liked that he was aware of construction but came from a different angle, and thought he was the sharpest of the candidates. Haber mentioned as an addition to Swartz having to recuse himself that they cannot hire those who build in the Town. She stated that Quinn had the background for the job and he will have to go through nine days of training. Balcom also mentioned that because they cannot hire contractors who work in the Town they disqualified two of the applicants. He praised Quinn as a home inspector with a fairly good understanding of state code, and said that as the job is to apply Town code he would do well with support to make a strong CEO. Balcom added that Quinn had good people skills, wrote really well, and it was obvious that he was a good choice. Lull stated that she was impressed with all applicants and thanked Vince Condra for helping the Town out in a pinch.

The Board agreed to make the position 15 hours per week at \$21.37 per hour plus mileage, with no health insurance but retirement may be available at 3%, on a six-month probationary period.

RES. #47-16 to Hire a Building Inspector/Code Enforcement Officer

Councilman Balcom offered RES. #47-16 and moved its adoption to hire James Quinn as Building Inspector/Code Enforcement Officer on a six-month probationary period, 15 hours per week at \$21.37 an hour, plus mileage.

VOTE

Ayes: Lull, Balcom, Haber, Wapner Nays: None (Swartz abstained) Resolution adopted.

Accounting Firm: The Board discussed the two accounting firms they interviewed. Swartz stated that it was a tough decision. Lull said that both firms were qualified, financially doing the same work, and reputable, and agreed it was a tough decision. Wapner stated that the representatives were both very knowledgeable and, based on the predicament the Town was in, both were able to help but it was a very difficult thing to decide. Haber agreed that both were highly qualified and thought that the decision probably came down to the personalities and who the Town was most comfortable working with on a daily basis. The Board discussed some of the

differences between the two firms, particular which group addressed payroll in-house. There was a fair amount of confusion and disagreement about which firm provided which service. Lull stated that both firms interviewed well and a good number of Towns already hired them, so it was a hard choice. She had invited the Town Bookkeeper Tammy Shaw to be a part of the interview process since she thought Shaw would be helpful in assessing and assisting the Town's decision. Lull stated that she wanted to hire Pattison, Koskey, Howe, and Bucci.

RES. #48-16 to Hire a Town Accounting Firm

Supervisor Lull offered RES. #48-16 and moved its adoption to hire Pattison, Koskey, Howe and Bucci as the Town's Accounting Firm. Councilman Balcom seconded the motion.

VOTE

Ayes: Lull, Balcom, Haber, Wapner Nays: Swartz Resolution adopted.

OLD BUSINESS

Proposed Zoning Code: Balcom stated that he contacted Nan Stolzenberg, the consultant during the adoption of the Comprehensive Plan (CP), and went on at length to describe how most of the Board, except Swartz, had the difficulty of approaching the proposed zoning code in a vacuum. Balcom praised Stolzenberg for her expertise in approaching codes and explained that he received a proposal from her after emailing her. He explained her approach of first reviewing the CP again and developing a checklist that would develop into a list of recommendations to help the Town become more efficient. Then Stolzenberg would draft the new zoning law and complete an audit by comparing the checklist to the CP with all its different components along with the ZIC recommendations. In addition, there would be legal analysis for the Town and County Planning Boards. Balcom concluded that the work would be about 30 to 40 hours including mileage, and he thought that \$3000 to \$4000 was good, since she was a topnotch, honest, and fair individual. He would like us to go that direction.

RES. #49-16 to Hire a Town Planning Consultant

Councilman Balcom offered RES. 49-16 and moved its adoption to hire Nan Stolzenberg to review the work of the Zoning Implementation Committee as per her proposal. Fee not exceed \$4,000 and with the report to be delivered within 60 days. Councilwoman Haber seconded.

Discussion: Wapner stated that it was important for Stolzenberg to meet with people who had been involved in the process.

Wapner, its important that included in the list of what Nan has to accomplish that she also reviews the Comp Plan and refresh her connection with citizens in Chatham, a great deal of time has passed since the initial comp plan was developed. She could get a sense of where people are with the Comp. Plan. Lull so you'll have citizen input. Balcom stated that if she has to spend time with people it's \$100/hr., Balcom proposed that when she completes some of the work that it be posted on the website. Lull: then we can feed her emails and questions from the public. Balcom suggests that once she gets the checklist done, post that, people will understand more than just a document. Balcom stated that Swartz took 5 years to decipher what the CP language is, really hard to do, to just turn it over the public not a good way. Balcom stated that a vast majority of the work the ZIC has done "is acceptable, but we don't know", have to audit it and

be really careful. Nan will work with us and if we want to put more contact in there it will mean more time. Swartz, public needs to see it, even before the Board reviews it. It is on the website, but haven't heard from anyone. Haber, we want input, we have to be a little careful, we don't want things to go on forever, we have to think hard about how it might be organized, people can meet informally, doesn't have to be, don't know if it has to be something we need. Lull: Nan can do that for us, if there is a citizen's committee with a spokesman, concerns directed to the board, when reviewing it, good process, but she has the experience. Balcom stated that Sue Seneca is a great resource and has done terrific work with communicants; she can help and give good input. We can work with Nan to figure out a process. It's one thing to put it on the website and ask people to tell us what they think; it's another to give them some guidance and help. Swartz interjected and said "tell them what to think?" Balcom replied "no" it's to help them understand how it all works together, it's not to shoot holes in it, it's to get it right.

VOTE

Ayes: Lull, Balcom, Haber, Wapner Nays: Swartz Resolution adopted.

Lull asked that the Board extend the application process for attorneys because last week a law firm was going to submit a statement of qualifications but wasn't able to do so so it limited our applicants as far as attorneys. Lull asked that the deadline be extended to January 30.

RES. #50-16 to extend the RFP process for Town Attorney until January 30, 2016. Supervisor Lull offered RES. #50-16 and moved its adoption. Councilman Wapner seconded the motion.

VOTE

Aye: Lull, Balcom, Haber, Wapner, Swartz Nay: none Resolution adopted

Justice Borgia-Forster asked that the Board reconsider a 1% raise for fulltime court clerk, Sandy LeClair.

RES. #51-16 to increase fulltime court clerk, Sandy LeClair's salary by 1%, retroactive to January 1, 2016. Supervisor Lull offered RES. #51-16 and moved its adoption. Councilman Haber seconded the motion.

VOTE

Aye: Lull, Balcom, Haber, Wapner, Swartz Nay: None Resolution Adopted

Lull stated that the part time court clerk will be moving into the full time court clerk position so there is a need to hire a part time court clerk. Lull will give the ad which was submitted to Rippel. Rippel asked if the court sent the ad to the newspaper, Lull responded in the affirmative.

RES. #52-16 to advertise for a part time court clerk, 20 hours per week at \$15.00/hour. Supervisor Lull offered RES. #52-16 and moved its adoption. Councilman Haber seconded the motion.

Discussion:

The Court has already submitted the ad to the paper and will give the Town Clerk a copy. Wapner, hire at the same hours as previously or will they changed? That is what was proposed.

VOTE

Aye: Lull, Balcom, Haber, Wapner, Swartz Nay: None Resolution adopted.

RESOLUTIONS

RES. #53-16 to approve the minutes of the November 10 and 19th, December 7 and 17th of 2015 and the January 2, 2016 Organizational meeting. Councilman Balcom offered RES. #53-16 and moved its adoption. Councilman Wapner seconded the motion.

VOTE

Ayes: Lull, Balcom, Haber, Wapner, Swartz Nays: None Resolution adopted

Councilman Wapner asked if they need to do anything organizationally about the ACO, which didn't come up in the organizational meeting. We have the position but not the person. Swartz asked if Lull was going to appoint him or just call him. Lull will talk to him.

RES. #54-16 to accept the Town Employee Policy and designate someone to arrange for and complete the work place violence training required therein. Councilman Balcom offered RES. #54-16 and moved its adoption. Councilman Haber seconded the motion.

Discussion;

Lull stated that Tammy Shaw has done the workplace violence training in the past maybe she will want to take that on again.

VOTE

Ayes: Lull, Balcom, Haber, Wapner, Swartz Nays: None Resolution adopted.

RES. #55-16 to review and accept the Procurement Policy and designate 2 Town Board members to update the Policy as it is out of date. Councilman Swartz offered RES. #55-16 and moved its adoption, Councilman Haber seconded the motion.

Discussion:

Lull stated that the Procurement Policy section 56-6 on procedures is out of date. On the advice of Town Attorney Tal Rappleyea it was recommended that the Policy on the back of the Town Vouchers be updated.

VOTE

Ayes: Lull, Balcom, Haber, Wapner, Swartz Nays: none Resolution adopted.

RES. #56-16 to support increased state funding for local transportation and parity between DOT and MTA five year capital programs. Councilman Haber offered RES. #56-16 and moved its adoption. Councilman Balcom seconded the motion.

VOTE

Ayes: Lull, Balcom, Haber, Wapner, Swartz Nays: None Resolution adopted.

Joe Rickert stated that Malcom Wheeler passed away today at around 12 PM. Malcom's son Gary works for him and they are taking up a collection at the highway garage. Calling hours are Sunday and the service is on Mon. Malcom was very active in the Tri-Village FD, upstanding member of the community actively participating in Town meetings and voicing his opinion. Malcom's wife Claire was our historian for many years. Claire is now at Whittier. Maybe the board wants to do something toward his services coming up. Lull: thank you and extend our sympathies to the family.

PUBLIC COMMENT

David Levow commented that a Facebook page might go a long way toward getting more people involved instead of going to the website every day like he does. He is not, however, volunteering to do the Facebook page.

Marilyn Cohen, Planning Board Chairman was saddened at what happened this evening. She's worked side by side with Shari Franks and there wasn't a person with more passion for what she did than Shari. Shari got all of us to do whatever she wanted in order to raise money for the Rec. Program. It was always for the kids. Being a middle school teacher for 30+ years, I know how important it is to help our children make good choices and have good choices for time spent in the summer. Really, she's done a wonderful job, and has great rapport with the kids and counselors. What saddens me the most is that something is obviously happening and she as Rec. Director was not even asked what she thought about it. As Planning Board chairman, I hope that doesn't happen to the PB. I would like to think that if any of you have any question about what my board is doing you would come to me first before going to anyone else, it is not a good way to run a town. A lot of people are involved in helping to run the town and they are doing an absolutely fantastic job. You are our leadership. We all live here and we want to make it the best it can be. I see people over there talking about a citizen's committee for the CP. I started out on the ZIC about 4 years ago and we begged people from the community to please come and join us. I don't know how to solve the problem but I do know that we have to work with each other and not against each other. What I saw tonight really frightens me.

Deirdre Henderson from Chatham Center: 1) Shari Franks question: I really was rather horrified at what happened tonight, but thought it was consistent with the letter that SF wrote during the election campaign which I thought was terribly shocking. I am not against rec. program in the town but do think that if we want to be civil to each other and with respect that goes two ways, I think that what Franks did during the election did not live up to that standard, that needs to be understood. Don't think that this was a situation where the town board was unilaterally and particularly being nasty. Being nasty first was Frank's attack on candidates which I thought was unprofessional and unwarranted. 2) having worked on the Comp. Plan I'm interested in seeing the product from the ZIC, which, is very long. Couple of suggestions if you really want the public to react to the implementation there are things that need to be done. A) make clear what this is addressing, CP land use recommendation went beyond zoning, couldn't tell when looked at doc on website if it was the same as town code. Better explanation of what the work of the ZIC was. B) reading that document was like reading the IRS code. Need a table of contents which lists the articles, contents, pages where to find them, very helpful to have a tracked changes version of the old chapter 180. C) Would like to see very specific recommendations for things to be done. It would be very nice if we could see in what the ZIC has recommended, what they are recommending in correspondence with the CP. What you would like NS to do would be helpful, even though the new Code is on the website it is not in a user friendly version. Don't think anyone can read that and say it corresponds to the CP. Meaningful public input is important. D) Other thing is that people is really interested in seeing zoning maps, didn't see any of those posted on the website. There is a Map section on the website, but don't think anyone can tell how they are related. Zoning maps are what people will focus on.

Donna Staron stated that they didn't know how to start, had to figure out what to do. They spent 5 years on the document, two meetings a month and put a lot of work into that document. Great that Nan will work on it but the ZIC did all the things that you're now asking Nan to do. We did all that, new zoning, CP, zoning book, etc. If we do what Henderson asked for and put all that on the website it would be too confusing. I think that should put it up to bid, not Stolzenberg's bid, could do it cheaper, don't think just taking Stolzenberg's bid is best. We had trouble getting a hard copy of the CP printed; think that 4k is a lot of money.

Patricia Lasky: agrees with how dense it is. Play it out with actual locations and even over time. What is going to happen at those locations has it changed or could it change? What is going to happen, is it going to change the way I envision it. Lasky has spent a lot of time reading the CP and ZIC minutes and what people really want to know is how it will affect their home or their business. We need someone who is probably a professional to look at the material and create a matrix or set up for a visual feel, whether it is Nan or put it out to bid, can't speak to what is proper or improper, it is indecipherable to the common man at this point.

Kate Denny from the Children's Garden at Crellin Park is sorry about Franks' resignation; it is a huge loss to the community. Camp is very unique to the area. It provides many programs within the day program, gardening, tennis and theater with PS-21. Franks does so much good work through grants which funds the Children's Garden. The Garden hosts a community event open to the public. She urges the board when looking for someone to fill the Recreation Director position to not cut the hours or the salary. This position is a lot of work and can't be done as a volunteer position. What would be an even greater loss would be to see the park program in the hands of the Morris with less money and run differently.

Van Calhoun: Franks has been doing a great job over the years, especially relating to the children and families, been an angel to them. It's really unfortunate that she chose to withdraw from the position in the way she did. There are a lot of changes in the town, changing relationships between the people who work there and talk is a two-way street, if they don't talk to you, then you go and talk to them. No one is indispensable; when we get to the point of posturing to be indispensable you create enemies, that isn't good. Say this because had a long conversation with Franks in July and heard about the evolution with the Morris and how the evolution of coming together was good. The Comp Plan has structure in it for expansion of the park and trail system with much better funding. There have been many opportunities over the years which the past administration did not taken advantage of (State grant funding). When discussing these with Franks she said it was not so. Don't take it from me about the future of it talk with the potential supervisor, show her the values of what you do. To posture in this way is the wrong way. But Calhoun has faith that this board will go after those funds, adequate person, who and how, form committees, sure can use some help. Also, Stolzenberg is a great person to bring into this, she brings the history that we need, worked in CP process and she knows what the thinking is and what the intent was at the time. There is tons of material, many copies, disks, all maps are digitized, where did that stuff go? Why didn't you have it at the ZIC, sat around long time, didn't get going, not the committee's problem, you should have had those materials. Stolzenberg's a great person to bring back, work with us, understand the work done by the ZIC, everyone blend together.

Donna Staron had questions about the maps. While working on the ZIC, they used the map on the wall in the conference room. We need an official map. The maps don't all work together. Swartz stated that we'll have to sit down with Mr. Meltz and then adopt an official map since we can't locate the "official maps" Staron: we had Don come in and consult with us and he said that is not it. Balcom: the CP map is not the same as that map. We have not approved. Staron: we all believe that that is the accepted map of the zoning code, but according to our map person, it's not it. No one knows where our official maps are. Staron: we still don't have an official map. Calhoun: yes we do it is in the original CP 25 years ago. Calhoun: the map should be digitized. Staron: there was a map called the official zoning map, but it didn't match what we had. Meltz may have something but we don't. Swartz was asked if he could get in touch with Meltz to which he replied that he was having nothing more to do with this. He put in 5 years and everything we did was torn down, tore the committee down, all the people who did the work, not another piece of energy will go into this thing. Calhoun: that's the spirit we're talking about with Shari. I come from the same place you have, put 5 years into this thing, sometimes three times a week, all the things falling apart, so my heart goes out to Swartz. Swartz: I'm willing to work with anyone, someone else can do the work and I will look at it. Sick and tired of the whole damn thing.

Swartz didn't think that the Board had officially thanked Jesse DeGroot, Jean Rohde and Walt Simonsmeier for their years of service and dedicated to the town. Whether we were or are not in favor of them they gave a lot of time and energy to the town and Swartz officially thank them. Balcom: added Shari Franks and Sandy LeClair also.

Motion was made by Councilman Balcom and seconded by Councilman Haber to adjourn at 9:15 PM. Motion carried.

Respectfully submitted by,
Beth Anne Rippel, RMC
Town Clerk

Resolution 46-16 offered by Councilman Haber, seconded by Councilman Wapner.

VOTE

Ayes: Lull Balcom, Haber, Wapner, Swartz

Nay: None Resolution adopted

Town of Chatham Highway Department
865 Cty Rte 13, Old Chatham, NY 12136
Telephone: 518-794-7281 Fax: 518-794-7281

AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS-2016

(Total: \$380,998.00)

AGREEMENT between the Town Superintendent of the Town of CHATHAM, COLUMBIA County, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$ 162,800.00 shall be set aside to be expended for primary work and general repairs upon 94.55 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.
2. PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent improvement of Town Highways:

(a) On the road commencing at STATE RTE. 66/ WHITE MILLS ROAD and leading to HIGH BRIDGE ROAD, a distance of 2 miles, there shall be expended not over the sum of \$ 172,000.00.
 Type: BITUMINOUS Width of Traveled surface: 20-FEET
 Thickness: 2-1/2" Subbase: BINDER

(b) On the road commencing at HOWES ROAD / SHAKER MUSEUM ROAD and leading to CTY RTE. 13, a distance of .5 miles, there shall be expended not over the sum of \$ 46,198.00.
 Type: BITUMINOUS Width of Traveled surface: 20-FEET
 Thickness: 2-1/2" Subbase: BINDER

(c) On the road commencing at _____ and leading to _____, a distance of _____ miles, there shall be expended not over the sum of \$ _____.
 Type: _____ Width of Traveled surface: _____
 Thickness: _____ Subbase: _____

Executed in duplicate this 21 day of January, 2016

 Supervisor
Robert Balcom
 Councilman
Lanora Haber
 Councilman

 Councilman
H. V. Swartz
 Councilman
Joseph M. Kubacki
 Town Highway Superintendent

NOTE: This agreement should be signed by a majority of the members of the Town Board and by the Town Highway Superintendent. Copy must be filed in the Town Clerk's office.

RESOLUTION: #56-16 offered by Councilman Haber

Whereas, a reliable transportation infrastructure is vital for the safety of New York's travelling public and its economy; and

Whereas, 85 percent of New York's roads and bridges are maintained by local governments; and

Whereas, despite well-timed and targeted preventative maintenance treatments, the age and condition of many of our locally-owned transportation assets means that they are beyond preservation and in need of much more costly rehabilitation and reconstruction; and

Whereas, estimates by the State Comptroller, DOT and independent studies show a large portion of road mileage is deteriorating and many bridges in the state are rated structurally deficient and functionally obsolete; and

Whereas, the State Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years; and

Whereas, the New York State Association of Town Superintendents of Highways commissioned its own fifteen year analysis that indicates an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

Whereas, funding for our local system has been far short of what is needed and we've fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for conditions ratings; and

Whereas, the New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the state and is part of the New York State Department of Transportation (NYSDOT) capital program; and

Whereas, in the early 1990's the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT capital program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems' capital programs; and

Whereas, when the DHBTF was created, it was agreed that the NYSDOT and MTA five-year capital programs would be similar in size and would be negotiated concurrently; and

Whereas, through 2005-09, both five-year capital programs were similar in size and adopted within months of each other; and

Whereas, in 2010 the Executive and Legislature broke traditional parity and enacted a five-year capital program for the MTA but not the DOT; NOW THEREFORE BE IT

RESOLVED, that the Town of Chatham calls upon the Governor and the state Legislature to make additional state funding and resources available at levels that accurately reflect the critical needs of local road and bridges; and increase CHIPS funding in the 2016-2017 state budget; and **BE IT FURTHER**

RESOLVED, that the Town of Chatham calls upon the Governor, and members of the state Legislature to fully fund and submit a new NYSDOT five-year transportation capital plan; and **BE IT FURTHER**

RESOLVED that the Town of Chatham calls upon the Governor and members of the state Legislature to recognize the equality of road, bridges and transit by restoring funding equality between the MTA and NYSDOT five-year programs and by voting on the plans simultaneously.

Seconded by Councilman Balcom

Vote
Ayes: Lull, Balcom, Haber, Wagner, Swantz
Nays: None
Reso. adopted