

Town of Chatham  
488 State Route 295  
Chatham, NY 12047

Special Town Board Meeting  
February 4, 2016..... 5:00PM  
to be conducted in Executive Session

**PRESENT:** Supervisor Maria Lull, Councilmen Bob Balcom, Landra Haber, Henry Swartz and John Wapner

**OTHERS:** None

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

### **EXECUTIVE SESSION**

On a motion by Councilwoman Haber, seconded by Councilman Wapner and carried the Town Board entered executive session at 5:00 PM in accordance with Public Officers Law §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.

The Board then discussed the continued employment of a particular person or whether such employment should be terminated. The Board voted on a motion by Councilman Balcom, seconded by Councilman Haber and carried to terminate such employment effective February 5, 2016. Supervisor Lull was authorized by such motion to notify the employee. It is specifically acknowledged that the identity is not revealed herein due to the legally required confidentiality of the matter.

### **VOTE**

AYES: Lull, Balcom, Haber and Wapner    NAYS: Swartz    Motion carried

Motion was made by Councilman Balcom, seconded by Councilman Haber to leave executive session at 6:52 PM. Motion carried.

Minutes submitted by Supervisor Lull

**Town of Chatham  
Extra Board Meeting  
Thursday, February 4, 2016, 5:00 PM**

**Board Present:** Supervisor Maria Lull, Councilman Bob Balcom, Councilwoman Landra Haber, Councilman Henry Swartz, Councilman John Wapner

**Call to Order:** Lull called the regular session of the Town Board Meeting to order at 7:00 PM and Swartz led the pledge to the flag.

Lull asked everyone to continue standing and observe a moment of silence for several people in community who recently passed away: Malcom Wheeler, Charles Kleinbaum, Pearl Ingham, and Barney LaPlante.

### **Public Comment Section:**

Lull read her regular statement regarding public comments.

**Mike Hart** asked about the applications to the Planning Board and Zoning Board of Appeals. Lull replied that the applications were on her desk and they would be addressed at the next meeting. Hart asked how many. Lull replied about five or six. Hart asked if all the Board had received copies of the applications. Lull said yes. Swartz said no, and that he did not receive anything except Hart's application today. Hart asked if any of the other Board members received anything. Lull replied that she would make sure that everyone received them. Hart concluded that he thought it would be helpful for everyone to receive copies ahead of time.

### **Department Reports:**

**Town Communications** (Haber and Waper): Haber spoke about the Town website, explaining that it has a lot of information that is not easy to find and that the Town needs a professional to make it user-friendly and connect the Town to Facebook and Twitter, which is essential for an emergency management standpoint. Haber also stated that the Town needs a good internal email system between officials and residents to include e-newsletters, press releases, notices, tax bills, etc. She admitted that the process would be time consuming in the effort to make everything as efficient as possible, but that the Supervisor's secretary would be good because the Supervisor's Office is a very good place for communications to come from. Haber suggested forming a committee to obtain input from the community. Town Clerk Beth Anne Rippel noted that she has been speaking with Rick Juliano from the County regarding better communications, including the website and an email program. She and other clerks are planning to meet with him in mid-February and he welcomes other meetings as well. There was other discussion about possibilities.

**Budget and Labor Relations** (Lull and Balcom): Lull noted that she and Deputy Supervisor Balcom met with a budget and labor relations consultant Michael Richardson for the last couple of weeks. Richardson will assist them with the finance and building departments and developing a new budget template for 2017. Lull added that work will begin on the 2017 budget probably in February, which will include collaboration between the Supervisor, the Board, Michael Richardson, the Town Accountants, and the Citizens' Finance and Planning Committee. Balcom spoke regarding the Citizens' Finance and Planning Committee, which is made up of John Wapner, Aven Kerr, David Levow, Tim Briney, Jim Johnson, and Michael Richardson. Balcom noted that the meeting will be next Friday at 8:30 AM, and that all meetings are posted and open to the public. He explained the process that Richardson will take with the budget, including making them very clear and easy to understand with easily identifiable expenditures. When the Supervisor sends out the tentative budget in September, Richardson will provide a narrative to explain all the different components and how taxes are calculated. Balcom added that the process will be educational and will be very similar to what the Village of Chatham did. Richardson worked with the Village of Chatham four or five years ago and helped them restructure their budget. Balcom concluded that Richardson hopes do the same thing for the Town as he did in the Village, since he lives in Chatham, is a great resource, and the Town has accepted his help with open arms.

## **NEW BUSINESS**

### **RES. 58-16 To Appoint Representatives to the County Office of the Aging.**

Offered by Councilman Swartz, motion to reappoint Carol Pinkowski and Liz Chapman as representatives to the County Office of the Aging. Councilman Bob Balcom seconded.

#### **VOTE**

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

*Discussion:* Haber stated that she wanted to thank Carol Hegeman for applying and recognized her skills and hoped that Town would avail itself of her expertise.

### **RES. 59-16 To Appoint a Town Engineer.**

Offered by Councilman Wapner, motion to appoint Patrick Prendergast to the position of Town Engineer. Councilwoman Haber seconded.

#### **VOTE**

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

*Discussion:* Swartz stated that there were many candidates to interview and it was difficult for a layman to interview an engineer so he was really going by what they did for other Towns and communities. He mentioned that Morris Associates worked for the Town, including Paul McCreary who did a great job, and while Prendergast has done a great job, he did not see a reason to take business away from Morris Associates just for the sake of making changes. Lull agreed with Swartz and stated that the change does not mean the Town is dissatisfied with the previous engineer or Morris, who have done a very good job and have satisfactory credentials. Balcom added that it is a chance for consistency and an opportunity to look at down the road since Prendergast is currently working with the Village.

### **RES. 60-16 To Appoint to the Chatham Agricultural Partnership Committee.**

Offered by Councilman Balcom, motion to appoint Landra Haber to the Chatham Agricultural Partnership Committee. Councilman Wapner seconded.

#### **VOTE**

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

### **RES. 61-16 To Authorize the Assessor to Attend a Continuing Education Conference.**

Offered by Councilman Swartz, motion to approve the request of Assessor Daniel Horst to attend a continuing education conference on non-profit organizations for \$140.00. Supervisor Lull seconded.

#### **VOTE**

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

### **RES. 62-16 To Advertise for an Accounting Clerk.**

Offered by Councilman Balcom, motion to advertise for an accounting clerk to work under the Town Bookkeeper for 15 hours per week at \$11.50 to \$13.50 an hour and to assist the Town Bookkeeper and Town Supervisor with any necessary duties. Councilwoman Haber seconded.

**VOTE**

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

**RES. 63-16 To Advertise for a Building Department Clerk.**

Offered by Councilwoman Haber, motion to advertise for a building department clerk to work under the Building Inspector/Code Enforcement Officer for 10 to 15 hours per week at \$11.00 to \$13.00 an hour. Councilman Balcom seconded.

**VOTE**

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

*Discussion:* Swartz explained that it is necessary to hire a clerk because the Building Inspector is unable to keep up with his 15 hours of paperwork a week and still go out to do inspections. He added that the Town will probably need another Building Inspector to keep up with the work since the previous CEO was Walt Simonsmeier who did an incredible amount of work and spent a lot of time in the field.

**Recreation Program Discussion**

**Lull** read a prepared statement: “In December, the new Town Board began discussing with the Morris Memorial Association on the Town’s Summer Recreation Program due to the unstable situation. The new Town Board had to take action to ensure a 2016 Recreation Program would be viable. At that time the Board made a proposal to the Morris with the Morris taking responsibility for administering the Recreation Program. Within the last few weeks, the Town Board has had inquiries on the Town’s Recreation Program and how important it is to families in our community. Be assured that the Board has no plan to discontinue the Program or minimize recreational services available to Town residents. We want to reassure the community that the Town Board is interested in establishing a Recreation Commission to review our existing Program, develop ways to expand recreation services, and provide those services efficiently. This proposed Commission will initially include representatives of the Town government (the Town Board), the Morris Board, the Chatham School Board and Administration, and the Chatham Area Business Alliance. We would also like the Commission to consider a representative from the Village Board. Once this Commission is up and running, we can expand participation as needed. The Town Board believes, by bringing together a number of aspects of the community, we can work together to create a vibrant, educational, and enjoyable experience not only to the children but to all members of our Town and Village. The goal of tonight’s workshop meeting is to determine if the Morris is interested in this undertaking in establishing a joint commission to oversee the Summer Program and establish other programs at Crellin. Hopefully the details of the plan of operation will come out of our discussions tonight.”

**Lull** added that the Park is a jewel of the Town and that the contribution that the Crellin Family made to the Town will live on for generations to come. She invited representatives to come forward: Karen Rosen, Dean West, Mike Hart, Elkie Knight, and Al Meier from the Morris Memorial Association and Dave O’Connor from the Chatham Central School District.

**Swartz** stated that he was not aware of the proposal and did not receive anything about it. **West** and **Hart** explained some information about the proposal that was sent out confidentially by the three elected officials (Supervisor-elect Lull, Councilman Balcom, and Councilwoman-elect Haber) to the Morris Board on December 17, 2015. **Hart** went on to explain that they understood that not all Board members had copies of the communication, which did not come

from the Morris Board but from Lull and copied to Balcom and Haber, and did not show that the Morris Board received anything formal from the Town Board.

**Lull** explained that while plans were being formulated, she and West had several conversations to make sure the Program was in place including the facilities at the Park so that the children and parents could depend on them for the Summer Program.

**Wapner** spoke at length about his preferred role and involvement in the process to develop a wider community board that would have representatives from various aspects of the community since he had a lot of experience in doing a lot of work to get everything moving. He emphasized that Chatham has a jewel in the Recreation Program and he was very willing to use his background in working with the School to help the project move forward.

**Hart** mentioned that the Comprehensive Plan has good things to say about the Park and Recreation Program, which is also included in the Crellin Park Master Plan, adopted in 2007. He stated that it is a worthy goal to put together proof from the Comprehensive Plan and Crellin Park Master Plan to continue the Program.

**Wapner** provided more insight in regards to connecting the project to the State in obtaining grants and conducting fundraising. He advised that involving the Morris Board was crucial because their job is to run recreation in the Town.

**O'Connor**, one of the nine members on the School Board, gave some background of his involvement in the Town Recreation Program as a child, emphasizing that children used to be bused in from all over the Town to go to the Park. He asked what the community can do as a whole to make sure that kids benefit from ongoing summer education, including at the Park, and spoke about the possibilities for expanding the Program. O'Connor stated that he sees the Park at risk because Shari Franks left as Recreation Director, and advised that they identify a very competent leader to step in soon, at least on an interim basis, to not lose the momentum of the program while everyone is in negotiation. **Swartz** agreed that the idea of making the Park larger was good, but stated that the Park needs to keep moving in its current direction. **O'Connor** concluded that while he is only one board member, he wants to do whatever he possibly can to support the greater community effort to have the best possible Summer Program.

**Meier** advised that everyone to think about moving forward quickly to make sure there is a smooth transition into the summer, especially making a written RFP or other specification for what the Town needs in a Recreation Director. He noted that the Town is really responsible for it right now.

**Knight** added with his agreement that they need an individual Director to run the Park along with specific goals for the program. He added his praise for the Program since he also grew up in the area, and mentioned that there is competition with Parks since many other camps are in the area.

**O'Connor** again raised the issue of transportation and bringing children to the Park.

**Haber** mentioned that her children went to Ichabod Crane and wondered if that school would be willing to cooperate with the Town since they have a lot to offer to Chatham.

**Swartz** mentioned that Kinderhook has a park but not a swimming program.

**Rosen** explained some of the background of the Town taking over Crellin Park, stating that when the Town originally took it from the Morris they were not happy but then it worked out and began to save some money. She said that the Morris Board needs specifics from the Town, such as what the Town is willing to put into the Park financially and what is in it for the Morris.

**West** also mentioned that the Morris needs to hear more about how it would work out, particularly because a lot is going on at the Morris for two-thirds of the year. He also stated that they would need the School's input on several issues.

**Swartz** added that they would definitely need the School's input if they will be using school buses, since that is a huge resource, and with school taxes what they currently are, there will need to be discussion about drivers, policies, etc. **O'Connor** explained that they have maintenance staff on the whole year but that drivers turn to other employment during the summer. **Swartz** mentioned how Ichabod Crane started chartering buses to the ski club because it was too expensive to use their own buses. He agreed that more input was needed since that issue is a hard one to undertake. **O'Connor** said that when transportation is not attached to programs, many people lose interest, so it has to be viewed as an investment. He mentioned that the School has it harder than anyone because they are at the mercy of the public who votes on their budget. **Swartz** thought that voting was a great idea. He stated that if they did something this large and affects so many people in the community, the public should vote on a referendum. **O'Connor** stated that it was also a good idea to have a non-binding vote from the public to get feedback before they proceed on some things. **Haber** said that whether there were votes taken or not, it is also better to get public input on programs.

There was scattered discussion about the Park's current programs and the possibilities of expanding to help the aging community in addition to the youth. **Lull** mentioned that the Park needs a lot of face-lifting under Phase Two, including the tennis and basketball courts, the pavilion, and other things. She added that they will be applying for grants with the Columbia County Youth Bureau, and there was some more discussion about that process and West encouraging her to speak with people directly.

**Lull** asked everyone if they wanted to formulate a committee, get suggestions from their own Boards, and then return on February 18 to discuss more. **Wapner** stated that they should take on responsibility for the possibility of the Morris and the Town working together for the summer. **Meier** advised putting out an RFP for a Director since he did not think the application process should be long and drawn out. **Wapner** added that it was up to Lull about the application process and the larger group did not have to deal with it, but he thought that the committee issue should be resolved for the summer as quickly and definitely as possible so that if it did not work out, the Town still had time to figure out what to do. **Swartz** agreed and emphasized the need to put out an RFP for the Recreation Director in order to keep the park going for the coming summer, and if talks continue between the Town, the Morris, and the School, that is fine as long as it does not cause anyone to waste time. **Wapner** agreed with Swartz's intent but not his strategy. He advised spending a couple weeks with the Morris to resolve the issue before hiring a Director since if it worked out between the Town and the Morris, the Morris would hire the Director. **Swartz** suggested setting a deadline. **Wapner** stated that he would come up with a document to send to the Morris representatives so they can negotiate over it.

**Lull** stated that they should set up a core committee, and the two Town members would be Haber and Wapner. **O'Connor** stated that he was not sure if the School should get involved at this point since they might mess it up, and recommended that the Town work with the Morris. **Lull** said that the Town would be willing to provide whatever the Morris needs and they can report back at the February 18 meeting where they are at. She emphasized the focus should be on the summer, and then the broader context of the committee later on.

**Hart** asked why the Recreation Director would be working for the Morris instead of the Town. **Wapner** explained that if they could negotiate the agreement, the Morris would take over

the Program and the Director would work for the Morris to avoid confusing the process if the Town was in the middle of it. **Hart** stated that there was no dual level as of today, so he did not understand why the Town wanted to put the Morris back into it. He explained that the Morris had a mission to support the well-being of the Morris, including their financial stability, so he wondered how the Town's plan would help them further their mission to be financially successful. **Balcom** explained that the Town had the same kind of mission and that both the Town and the Morris should work together toward something that supports both missions. **Hart** did not disagree but stated that for this timeframe, it may not be something that they could accomplish. **Rosen** added some history of her husband being on the Town Board and wondering why, if the Town and Morris were doing the same thing, they did not join forces, but explained that after working together for many years, it was more advantageous to go separate ways and they hope to continue without any financial burden. **Lull** stated that the Town and Morris should have a partnership.

**Swartz** noted that the financials of the Park show no money coming in and money going out, so the Town was essentially asking who would be willing to help them share the loss. He added that the Town is offering money to the Morris to help take responsibility, but if it were him being asked, he would not take any part of it. **Hart** added that if the Morris were to take it over, they would need some say in how much it was worth to them, what kind of people they wanted to work for them, what kind of benefits they would provide, etc. He concluded that the historical figures were nothing more than a guideline. **Balcom** did not disagree. **Swartz** added that while everyone has been talking about getting the Morris and the School into the discussion but they have been forgetting to include the Park employees. **Lull** added that she would also like to see some people from the Village involved.

#### **RES. 64-16 To pay sandy LeClair accrued vacation time**

Offered by Councilman Balcom, motion to approve the part-time court clerk to advance to full-time in light of the full-time court clerk retiring. Councilman Haber seconded.

#### **VOTE**

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

**Extension of the Moratorium:** Lull read the following statement: "The original moratorium was enacted by the Town Board a year ago because we were faced with the reality that one of our most prominent and important assets—namely, our scenic dirt roads—could be imperiled due to application of potential new development on a number of those roads. Additionally, the Town was nearing the completion of its review of the Comprehensive Plan and an upgrade of our Zoning Law to implement the recommendations of the Plan and on our Zoning Law enacted in early 1970s. At this point, the specter of development on our rural roads remains and thus the potential negative impact also remains. We have made great progress in reviewing our Zoning Law. The Zoning Implementation Committee has completed its work and recommended a new law to the Town Board. In short, the Town Board is studying that and is asking the help of the Comprehensive Plan consultant who assisted the Town in the creation of the Plan which was ultimately ebbed with the enactment of a new Zoning Law. The Town is very close to achieving its goal which will in turn not only protect our beautiful Town as a whole but also protect our scenic dirt roads from being damaged or otherwise marred. Therefore, I am offering a Local Law for enactment to extend the moratorium for an additional 12 months. It is my hope is that we will not need the whole 12 months, since we are nearing the end of the process of reviewing the

Zoning Law. But I will enact a new Local Law to repeat this one if the full time is not needed.”  
Lull explained that Local Law 1 of 2016 has been prepared by the Town Attorney.

**RES. 65-16 To Set a Public Hearing date on Local Law 1-16 to extend the Moratorium.**

Offered by Councilwoman, motion to set a public hearing for Local Law 1 of 2016 at the regular Town Board meeting on Thursday, February 18, at 7:05 PM. Councilman Wapner seconded.

**VOTE**

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

**PUBLIC COMMENT**

**Nick** asked if, in the midst of negotiations for a long-term plan, nothing materializes, would the Town be willing to fund the Summer Program for ten weeks (two weeks prior and two weeks after the six weeks of activities). He noted that the staff is ready with their certification to go back to work. **Lull** replied that hopefully everyone will be back at the February 18 meeting and Wapner will make a report. **Nick** asked again if, for sure, there would be a summer program. The Board replied yes. **Nick** was glad to hear it, saying that historically, the more people got involved, the less got done, but he was glad that they would have time to figure details out.

**Ellen Slocum**, Waterfront Director for the Park and with the Park for eight years, wanted to know at what stage the people from the Program would be involved. **Wapner** stated that he thought she would be the perfect person to include in the plans and that whoever would be the Recreation Director would need her experience and expertise to move forward with. **Lull** stated that the best thing would be for her to attend the February 18 meeting and send something to them. **Slocum** said that she would also let the other staff know. **Swartz** added that it would be good to have a meeting with the Park staff as well.

**Rebecca Fey** explained how she grew up in Chatham since she was a baby and enjoyed the swim program for a long time. She asked if the Town was totally invested in the swim program. The Board affirmed that they were. **Swartz** added that he did not think that anyone wanted to cut anything. **Lull** stated that they wanted to see the saved money put toward the infrastructure of the Park. **Nick** asked if there was any information on the pavilion since he knew that there were some complications. **Swartz** replied that the pavilion was finished and we can't afford any other improvements. Money needs to be raised through the grants, which Shari Franks had been working on. **Haber** added that they need locker rooms and bathrooms.

**Lull** recognized Jean Rohde for attending the meeting.

**Emilia Teasdale** asked if there were any other Park Programs in the County that have private-public connections, such as the Town and Morris working together for the Recreation Program. **Balcom** replied that, so far as he knew, Chatham was unique in this regard. He knew some larger Towns had YMCA and other sorts of groups, but only Chatham was seeking a public-private connection for the Park.

**Motion to Adjourn:** On a motion by Councilman Haber, second by Councilman and carried the meeting was adjourned at 8:40 pm.

Respectfully submitted by,  
Beth Anne Rippel  
RMC