

Town of Chatham  
488 State Route 295  
Chatham, NY 12047

**Special Town Board Meeting**  
**March 3, 2016..... 5:15PM**  
to be conducted in Executive Session

**PRESENT:** Supervisor Maria Lull, Councilman Bob Balcom, Councilman Henry Swartz, Councilwoman Landra Haber, Planning Board Deputy Chair Donna Staron, Zoning Board of Appeals Deputy Chair Mitch Khosrova

Supervisor Lull called the meeting to order at 5:15 P.M. and led the pledge to the flag.

**EXECUTIVE SESSION** (For Zoning Board of Appeals and Planning Board interviews. Councilman Swartz recused himself from the Planning Board interviews)

On a motion by Councilman Balcom, seconded by Councilwoman Haber, and carried, the Town Board entered executive session at 5:15 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.

Motion was made by Councilman Balcom, seconded by Councilwoman Haber to leave executive session at 6:54 P.M. Motion carried

Respectfully submitted by,

Maria Lull, Supervisor

**Workshop Meeting**  
**March 3, 2016..... 7:00 P.M.**

**PRESENT:** Supervisor Maria Lull, Councilman Bob Balcom, Councilman Henry Swartz, Councilwoman Landra Haber , Town Clerk Beth Anne Rippel

**OTHERS:** Julie Veronezi, Chatham Courier Reporter Gail Heinsohn

**CALL TO ORDER:** Supervisor Lull called the meeting to order at 7:00 PM. Councilman Balcom led the pledge to the flag.

**CORRESPONDENCE:** None

**PUBLIC COMMENT**

**Lull** read her regular statement.

**Julia Veronezi** asked for clarifications on three items: **1)** Meeting is listed on the website as a Regular Boarding Meeting but is listed in the paper and on the agenda as a Workshop Meeting.

**Lull** explained that the first meeting of the month is a workshop and the second meeting is a regular meeting. **Town Clerk Beth Anne Rippel** asked for clarification on the difference between the two since the agendas are similar. **Lull** replied that the Board was carrying on the

tradition from the past, using the opportunity to go into executive session to fill vacancies, and other Board members confirmed the same. **Veronezi** said she would assume that things would continue as in years prior with a workshop on the first Thursday and a regular meeting on the third Thursday and the Board confirmed. **2)** Various municipalities in upstate New York have been discussing water contamination issues and she wondered if the Town was planning to do an Aquafer study, especially in light of the fact that there have been manufacturing plants in Chatham. **3)** The Meeting notice for April 14 states that there will be a continuation of Town and Village discussion on consolidation, and Veronezi asked when, with whom, and where did prior initiatives occur. **Lull** replied that she did not use the term “consolidation” but the Town and Village had been discussing renovation of the Tracy Memorial Village Hall for two years. **Veronezi** said that she did not understand the consolidation part. **Lull** again replied that she never used that word but the Town and Village discussed renovating the Tracy and putting the offices of both municipalities under one roof at the Tracy, but never meant the consolidation of government. **Town Clerk Rippel** said that she had written the word “consolidation” and she should have been clearer. **The Board** discussed the water issue for a time and said it would be added as New Business in a following meeting as they look into testing possibilities.

### **SUB-COMMITTEE REPORTS**

- **Recreation** (Haber and Wapner): Haber explained that she and Wapner came up with a more detailed job description based on recommendation from Shari Franks and also referring to the Safety Program manual for the Park. Lull recommended emailing it to Board and any applicants. The Board will be conducting interviews on March 12 at 8:00 AM. Swartz asked if position is civil service. Balcom stated that it is not a testing position. Haber and Wapner also began a discussion about the proposed Recreation Committee to include Town Board, Village Board, School Board, Morris Memorial, and other members. Haber wants to include senior citizens. Wapner wants the Recreation Director on Board before they establish a Recreation Committee. They will have more information at a later date after other details are determined. Swartz suggested including the Town of Kinderhook. Lull mentioned that Chatham seniors have their own group that the Town contributes to so they can go on field trips.
- **Citizens Finance and Planning** (Balcom): Balcom explained that the next meetings are Friday, March 11, at 8:30 AM and Saturday, March 12, at 10:00 AM, and that they soon should have the “benefits” section of the Personnel Policy ready for the Town Board’s review at that time.
- **Zoning** (Balcom): Balcom reported that Nan Stolzenberg completed her checklist and that her most recent questions were answered by a conference call between her, Balcom, and Lull. The Board will determine a date to hold a special meeting with Stolzenberg to go over her work.

**NEW BUSINESS:** None

**OLD BUSINESS: Planning Board Appointment**

**Motion to Take from the Table:** Councilman Balcom made a motion to take the last meeting’s motion from the table in order to address the Resolution made by Swartz and Balcom to appoint Mike Hart to the Planning Board. Councilwoman Haber seconded the motion and it was carried unanimously.

**RES. #68-16** to Appoint a Planning Board Member.

Offered by Councilman Swartz and moved to appoint Mike Hart as a member of the Planning Board. Councilman Balcom seconded.

**VOTE**

Ayes: Swartz                      Nays: Lull, Balcom, Haber, Wapner      The resolution was defeated.

**RES. #71-16** To Appoint a Planning Board Member

Offered by Supervisor Lull and moved to appoint Gabriella Sperry as a member of the Planning Board. Councilwoman Haber seconded.

*Discussion:* **Swartz** stated that Sperry was a very nice lady but that he still believed Hart was the best and strongest candidate. He also explained that he believed it was disrespectful to go against the Planning Board's recommendation. Swartz concluded that he had nothing against other candidates but believed the Board was being disrespectful to Hart. **Balcom** explained that he was absolutely blown away by Sperry in the second interview and that while no one individual would make a huge difference on a Board, he was really impressed by her vision, believed that she would be a real asset, and was really glad that Wapner requested the second round of interviews since he saw Sperry as a completely different person. **Wapner** stated that he did not disrespect the Planning Board or Hart but he agrees with Lull, it was simply a matter of opening up the Boards to new people. Sperry had vision. **Haber** agreed with Balcom and Wapner, Sperry did have vision. She also complimented Walker.

**VOTE**

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

**Zoning Board of Appeals Appointment**

**Lull** stated that the Zoning Board of Appeals has done an excellent job and that Kary Jablonka has been a marvelous public servant, but that it is time for others in the community to participate and serve.

**RES. #72-16** to Appoint a Zoning Board of Appeals Member

Offered by Supervisor Lull and moved to appoint Kandace Eaton as a member of the Zoning Board of Appeals. Councilwoman Haber seconded.

*Discussion:* **Haber** said that Eaton has tremendous integrity, is smart, has both big picture and detailed perspective, and is all around an excellent candidate. **Wapner** noted that it was good for them to talk to Jablonka directly and that he had a lot of regard for Jablonka's services for the Town and the County, but the boards need to be open and changing to permit different opinions in goals and processes. **Swartz** explained that he was opposed to this appointment as well since the Planning Board and Zoning Board of Appeals appointments are favoring a small group of people from Thomas Road so that anyone who sat on those boards and said anything about it are being removed. Swartz acknowledged that no one else would say that or admit to the fact, but he believed it. **Balcom** replied that they were just looking to put the best people with new outlooks on the boards and he believed that Eaton has good qualifications, knows how to work on the boards, and has been trying to get into public service for years. He was glad that the Town Board has opened positions to the public since people want the opportunity, and while he has great respect for Jablonka, he believed it was time for a change.

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

**Meeting with Village:** Lull explained that the Board will be meeting with the Village Board on April 14 at 6:00 PM at the Tracy Memorial to resume discussions about the building.

## **RESOLUTIONS**

**RES. #73-16 to Approve Minutes**

Offered by Councilwoman Haber, moved to approve the Town Clerk's minutes of the January 21, 2016, Town Board meeting. Councilman Balcom seconded.

**VOTE**

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

**RES. #74-16 to Authorize Town Clerk to Attend Conference**

Offered by Councilwoman Haber and moved, to authorize Beth Anne Rippel, Town Clerk, to attend the Annual NYSTCA conference in Saratoga Springs, New York, from April 17 through April 20, 2016, and the cost not to exceed \$1000.00 as budgeted. Councilman Balcom seconded the resolution.

**VOTE**

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

**RES. #75-16 to Appoint Part-Time Court Clerk**

Offered by Councilwoman Haber and moved the following:

WHEREAS as of March 1, 2016, a vacancy existed in the position of part-time Clerk for the Justice Court in and for the Town of Chatham, and

WHEREAS, the position requires training which will be most effectively achieved by a transitional period prior to the said vacancy. NOW

THEREFORE, BE IT RESOLVED, upon the recommendation and approval of the Town Justices that the Town Board of the Town of Chatham hereby appoints Denise Sabo as the part-time Court Clerk for the Justice Court of the Town of Chatham, retroactive to February 22, 2016 in order to accomplish the required training and be it further

RESOLVED, that the position requires 19 hours per week, with the potential for more hours during the initial training period, at an hourly rate of \$15.00 per hour for the first six months of employment, which will be a probationary period and then shall be increased to \$16.00 per hour thereafter following successful completion of said probationary period. Councilman Balcom seconded the resolution.

**VOTE**

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

**RES. #76-16 to Establish Collaboration with the Town, Trout Unlimited, and NYSDEC**

Offered by Councilman Balcom and moved the following

WHEREAS, the Town of Chatham, Trout Unlimited and NYSDEC have collaborated on ideas to remove impediments to trout in the Green Brook water course; and

WHEREAS, two culverts have been identified as impediments on the Green Brook which are within the control and jurisdiction of the Town of Chatham, to wit: the rail road culvert near the Hurley property and the culvert under Riders Mills Road; and

WHEREAS, Trout Unlimited may be able to obtain funding for the costs associated with removing the rail road culvert, at grade, and replacing the existing Riders Mills Road elliptical culvert with a here sided box culvert, such that there would be no cost to the Town.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chatham is in support of the proposed project and hereby requests that Trout Unlimited and NYSDEC proceed with the planning of and funding search to complete the above-mentioned project. Councilwoman Haber seconded the resolution.

*Discussion:* **Wapner** asked what happened to the third culvert and Swartz explained it was under jurisdiction of the County.

**VOTE**

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

**RES. #77-16** to Appoint Building Department and Zoning Board of Appeals Clerk

Offered by Councilman Balcom, moved the following: WHEREAS, the Town Board of the Town of Chatham has conducted a search for a new Building Department Clerk and Secretary to the Town's Zoning Board of Appeals for the Town and after due consideration of all candidates and options the Town Board does NOW, THEREFORE, BE IT RESOLVED that Erin Costa is appointed as the Town of Chatham Building Department Clerk and Secretary to the Town's Zoning Board of Appeals at a rate of pay of \$12.50 per hour Councilwoman Haber seconded.

*Discussion:* **Lull** noted that they had interviewed Costa for the planning board. **Swartz** asked if interviews were conducted for this position. **Lull** replied that the Building Department did them. **Swartz** clarified that the Building Department and the Zoning Board of Appeals did the interviewed, and asked why the Board was just going by the recommendations for this appointment. **Lull** explained that Costa works as secretary to the Planning Board, Zoning Board of Appeals, and Building Department in the Village. **Swartz** stated that the Board was showing inconsistency by not accepting the recommendations from the Town Planning and Zoning Boards for appointing members to those Boards and by not doing interviews for all the applicants. He added that he would be voting in favor of the appointments but did not think it was consistent. **Lull** replied that this was the way it was handled internally. **Swartz** replied that the Board cannot do it two ways; they have to choose a consistent method of doing interviews and appointing applicants.

**VOTE**

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

**RES. #78-16** to Appoint Accounting Clerk and Supervisor's Secretary

Offered by Councilman Balcom and moved the following:

WHEREAS, the Town Board of the Town of Chatham has conducted a search for a new Accounting Clerk and Secretary to the Town Supervisor and after due consideration of all candidates and options the Town Board does

NOW, THEREFORE, BE IT RESOLVED that Michayla McMahon is appointed as the Town of Chatham Accounting Clerk and Secretary to the Town Supervisor at a rate of pay of \$12.50 per hour, 15 hours per week. Supervisor Lull seconded.

**VOTE**

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

**RES. #79-16** to Authorize Amendments to 2015 Budget Appropriations

Offered by Councilman Balcom, moved to authorize the Town Comptroller to make amendments to budget appropriations for the 2015 Budget.

<u>FROM ACCOUNT</u>	<u>TO ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT TO TRANSFER</u>
A1010.2	A1010.4 (Bal. \$3500)	Town Board Equipment TO Town Board Contractual Reason: Increase in Engineering Cost	\$ 1,317.28
A1990.4 (Bal. \$40,000)	A1110.1	Contingency Account TO Justice Personal Services Reason: Increase in Salary not budgeted	\$ 9,864.83
A1315.1 (Bal. \$15,915.91)	A1315.4	Comptroller Personal Services TO Comptroller Contractual Reason: Hiring of Accountants	\$11,801.67
A1355.4 (Bal. \$1,425.51)	A1355.1	Assessors Contractual TO Assessors Personal Services Reason: Over Budget	\$ 256.72
A1990.4 (Bal. \$39,015.17)	A3510.4	Contingency Account TO Dog Control Contractual Reason: Increase in spending	\$ 506.00
A5132.4 (Bal. \$4,471.77)	A5132.2	Garage Contractual TO Garage Equipment Reason: Increase in spending	\$ 79.66
A7140.2 (Bal. \$3,000.00)	A7140.1	Playground Equipment TO Playground Personal Services Reason: Over budget in Payroll	\$ 2,090.02
A9060.8 (Bal. \$39,249.74)	A9010.8	Health Insurance TO State Retirement Reason: Increase in Annual Retirement	\$ 3,089.10
B9030.8 (Bal. \$ 609.26)	B9010.8	Social Security TO State Retirement Reason: Increase in Annual Retirement	\$ 609.26
B9060.8 (Bal. \$1,575.99)	B9010.8	Medical Insurance TO State Retirement Reason: Increase in Annual Retirement	\$ 1,397.83
DA5142.1 (Bal. \$61,668.65)	DA5140.4	Snow Removal Personal Service TO Brush & Weeds CE Reason: Increase in spending	\$ 204.56
DA9060.8 (Bal. \$28,920.00)	DA9010.8	Medical Insurance TO State Retirement Reason: Increase in Annual Retirement	\$ 180.10
DB9060.8 (Bal. \$30,712.65)	DB5130.4	Health Insurance TO Machinery Contract (Repairs) Reason: Increase in Repairs	\$ 7,298.05
DB9060.8 (Bal. \$23,414.60)	DB9010.8	Health Insurance TO State Retirement Reason: Increase in Annual Retirement	\$ 3,064.71

Councilwoman Haber seconded the resolution.

*Discussion:* **Swartz** asked why the Board did not receive the resolution prior to the meeting. This is the first he was hearing of it. **Lull** replied that it had just come in today and if **Swartz** would like to see it she would email it. **Swartz** said that it would be too late because the Board was voting on it now, and he likes to see what he is voting on. He emphasized that he was repeating what other Board members have said about receiving business matters in a timely manner. **Lull** again reiterated that she did not receive it until that day and it was important for the garage machinery. **Wapner** asked about the transfer of playground equipment funds. **Town Clerk Rippel** explained that the money not spent in the equipment line was moving into the personnel line. **Haber** stated that the resolution was necessary for the Town to close the books for 2015. **Swartz** mentioned that he would like to see the matter tabled and completed at the next meeting. **Lull** replied that the Comptroller needs the resolution to make the changes to the budget. **Swartz** asked why the Board would not wait until the next meeting. **Lull** replied that the Accountant needs to have this resolution done; she wanted Mike Bucci to come and make a report before the Board. **Swartz** reiterated that he needed the resolution with all the numbers prior to making a decision on it. **Balcom** stated that the budget adjustments happened all the time. They're just shifting money around to make the budget work. In order to get the AUD report done they need this information now. They're fixing our budget for us. He understands what **Swartz** is saying but under these circumstances we need to move on it. **Wapner** suggested setting certain expectations and guidelines for the Accountant and others reporting to the Board and maybe to have the Citizens' Finance and Planning Committee work on it. He added that he understood **Swartz's** point of view and that he was uncomfortable voting on something he did not see. **Swartz** agreed and stated that he understood that the resolution request was legitimate, but since he had not seen it and had only heard about it from the "Bob and Maria Show", he could not vote on something he had not read. **Lull** stated that Tammy Shaw and the Accounting Firm had been working very hard to try and get all the figures together that were botched up from 2015, and so she had a good deal of respect for them.

**VOTE**

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

**RES. #80-16** to Authorize the Transfer of Highway Funds.

Offered by Councilman Balcom and moved the following:

WHEREAS, the Chatham Town Board authorizes the Town Accountant to transfer funds from the DB Appropriated Fund Balance (599.04.000) to the Highway Machinery Equipment (DB5130.2) for payment in 2015 for the following Highway Equipment:

1. March 10, 2015 Meeting Minutes: RES. #59-15 Councilman Swartz offered RES. #59-15 and moved its adoption.

WHEREAS, the Superintendent of Highway has requested that the Town Board authorize the purchase of (One) 2016 Ford Super Duty F-550 Cab/Chassis from National Auto Fleet Group, and

THEREFORE, be it resolved that the Chatham Town Board accepts the Contract price through NJPA (National Joint Powers Alliance Program), Contract # 102811, for (One) 2016 Ford Super Duty F-550 Cab/Chassis from National Auto Fleet Group, 490 Auto Center Drive, Watsonville, CA for the sum of \$36,997.44.

WHEREAS, the Superintendent of Highway has requested that the Town Board authorize the purchase of (One) AirFlo Truck Body for the F550 Super Duty from Checkered Flag Fabrications, and

THEREFORE, be it resolved that the Chatham Town Board accepts the bid price of \$9,670.14 for (One) AirFlo Truck Body from Checkered Flag Fabrications, 73 Percy Hill Road, Old Chatham, NY for the sum of \$9,670.14.

WHEREAS, the Superintendent of Highway has requested that the Town Board authorize the purchase of (One) 2015 Terrastar SFA 4x4 Cab Chassis from Navistar, Inc., and

THEREFORE, be it resolved that the Chatham Town Board accepts the Onondaga County Contract #7974 bid price per specifications for (One) 2015 Terrastar SFA 4x4 Cab Chassis from Navistar, Inc., 399 Albany Shaker Rd, Suite 202, Loudonville, NY for the sum of \$61,257.40.

WHEREAS, the Superintendent of Highway has requested that the Town Board authorize the purchase of (One) Henderson 10' Plow & MG4 Season Spreader/Dump Medium Duty for Terra Star, and

THEREFORE, be it resolved that the Chatham Town Board accepts the Onondaga Contract #7823 bid Price per specifications for (One) Henderson 10' Plow & MG4 Season Spreader/Dump Medium Duty for Terra Star from Henderson Truck Equipment, 22686 Fisher Road, Watertown, NY 13601 for the sum of \$50,610.00. Councilman Lull seconded the motion.

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

## 2. April 16, 2015 Meeting Minutes:

RES. #75-15 Supervisor DeGroot offered RES. #75-15 and moved its adoption. The Skid Steer purchase will be contingent upon the availability of cash funds, no borrowing, to make the purchase.

WHEREAS, the Superintendent of Highway has requested that the Town Board authorize the purchase of (One) Skid Steer 332E from John Deere Shared Services, and

THEREFORE, be it resolved that the Chatham Town Board accepts the Contract price through NJPA (National Joint Powers Alliance Program) Cooperative Contract #060311 – JDC; NYS OGS Contract PC66575, for (one) Skid Steer 332E from John Deere Shared Services, 1515 Fifth Ave. Moline, IL 61265 for the sum of \$82,563.25. Councilman Lull seconded the motion

VOTE: Ayes: DeGroot, Lull, Balcom, Rohde Nays: None Resolution adopted.

**WHEREAS, the total purchase price for the five items above is \$ 241,098.23, and**

**THEREFORE, BE IT RESOLVED that the 2015 Town Budget is amended as follows; transfer funds from the Appropriated Fund Balance DB (599.04.000) to the Highway Machinery Equipment (DB5130.2) in the sum of \$241,098.23 to pay for highway equipment.**

Councilwoman Haber seconded.

*Discussion:* **Haber** asked what DB stood for and **Balcom** replied that it was a budget code for the Highway. **Swartz** asked if the Highway Garage did not purchase the equipment in 2015 as the original resolutions had authorized the requested action. **Balcom** replied that the money was spent and **Lull** replied that she saw the equipment in the garage. **Balcom** also said that they are getting the books in order and hopefully there will be a lot fewer of these resolutions. **Lull** said that she wanted the Accountant to come and make a report but that they have been too busy with tax season. **Swartz** clarified that none of the money was from 2016 and **Lull** agreed, adding



that they hope to keep the department afloat since the last firm was less than satisfactory in their accounting.

**VOTE**

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

**MOTION TO ADJOURN:** On a motion by Councilman Balcom and second Councilwoman Haber the meeting was adjourned at 8:10 PM. The motion was carried.

**Newspaper Question: Gail Heinsohn** asked why there was a \$9000 transfer in the Justice account because of money not budgeted. **Balcom** explained that there had been a large debate about a court clerk's salary because one clerk was sick and then the part-time clerk was increased to full-time, which put the salary way over.