

Town of Chatham
488 State Route 295
Chatham, NY 12037

Special Town Board Meeting
March 17, 2016..... 5:00PM
to be conducted in Executive Session
For Attorney Interviews

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

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

EXECUTIVE SESSION

On a motion by Councilman Balcom, seconded by Councilwoman Haber 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.

Motion was made by Councilwoman Haber, seconded by Councilman Wapner to leave executive session at 6:43 PM. Motion carried.

Regular Town Board Meeting
March 17, 2016 7:00 PM

PRESENT: Supervisor Maria Lull, Councilman Bob Balcom, Councilwoman Landra Haber, Councilman Henry Swartz, Councilman John Wapner, Town Clerk Beth Anne Rippel, Planning Board Chair Marilyn Cohen, Town Attorney Tal Rappleyea

OTHERS: members of the public

CALL TO ORDER: Lull called the regular meeting to order at 7:00 PM and led the pledge to the flag. She wished everyone a happy Saint Patrick's Day.

PUBLIC HEARING on Local Law #01-16 for the purpose of extending the moratorium to halt development on rural dirt roads for twelve months while the Town Board is working through the process of adopting a new zoning code.

Lull read a written statement about the proposed Local Law, the same from the minutes of February 4, 2016, with several slight modifications. Lull also reported that she attended the County Planning Board's meeting wherein they accepted the Town's request for the extension.

The Public Hearing was opened at 7:03 PM.

a Facebook post, she told the building inspector and he went right over to see the project. Lull stated that the Town set up special hours for the Town Engineer and the Building Inspector to handle any public concerns and allow people to see the plans and make comments. She reminded everyone that it is their responsibility to inform the respective departments or the Town Board if there are any issues that would affect the zoning code. Lull concluded that the Building Department is under control since Vince Concra was away on vacation since January but is now back with the Town and two men in the building department are able to handle applications.

PUBLIC COMMENT

Lull read her usual statement. There was no public comment.

SUB-COMMITTEE REPORTS

1. **Recreation (Haber and Wapner):** Regarding the hiring of a Recreation Director for the Summer Program. Wapner explained that they were very pleased with Mike West’s application and relayed some of his skills and experience. He also mentioned the plan to form a broader recreation committee so that different groups can be involved. Haber thanked the other applicants for their involvement, mentioning that it was a tough decision but that West was the most qualified. Swartz agreed that it was a tough decision because of all the qualified people who applied. Lull stated that she hoped the Town would have a good, long time with Mike West because of his experience and involvement in the Program and local children.

RESOLUTION #82-16: To appoint Town Recreation Director

Offered by Councilman John Wapner, moved adoption of the following:

WHEREAS, the Town Board of the Town of Chatham has conducted a search for a new Recreation Department Director for the Town and after due consideration of all candidates and options The Town Board does

NOW, HEREBY RESOLVE that Mike West is appointed as the Town of Chatham Recreation Department Director at a rate of pay of \$16,500.

Councilwoman Landra Haber seconded the resolution.

VOTE: Ayes All Nays None The resolution was adopted.

2. **Citizens’ Finance and Planning Committee (Balcom):** Balcom reported that the committee met frequently and planned to meet that Friday at 8:30AM and Saturday at 10:00AM to continue working through the policy manual and benefits section. The committee completed the sick time discussion, moved on to address health insurance, and hoped to have that part done soon in order to have everything prepared for budget season.
3. **Special Meetings (Lull):** Lull reported that there was a March 9th meeting that included herself, Bookkeeper Tammy Shaw, Consultant Michael Richardson, and Columbia County Civil Service Director Melissa Noblen in order to bring all Town employee job titles in compliance with Civil Service Law.

RESOLUTION #83-16: To Amend/Create Titles, Positions, and Appointments of Employees

Offered by Councilwoman Landra Haber, moved adoption of the following:

WHEREAS, the Town Board of the Town of Chatham has conducted a review of the various positions within the Town and in conjunction with the recommendations of the Columbia County

Civil Service Department deems it necessary and appropriate to amend/create the following titles, positions and appointments.

NOW, IT IS HEREBY RESOLVED that the following positions are retitled and the following appointments are made:

- 1) Planning Board Secretary is retitled as Clerk Typist and Gail Chamberlain is appointed/continues in the position
- 2) Building Department new position of Building Department and Zoning Board Clerk Typist is created and Erin Costa is appointed
- 3) Court: Full Time position is retitled as Clerk to the Town Justice and Joan Goold is appointed/continues in the position
- 4) Court: Part Time position is retitled as Clerk to the Justice Court and Denise Sabo is appointed/continues in the position
- 5) Assessor's Clerk is retitled as Clerk Typist and Julia Horst is appointed/continues in the position
- 6) Finance Department: Confidential Secretary and Deputy Bookkeeper is retitled as Budget Officer Tammy Shaw is appointed/continues in the position
- 7) Finance Department: The new position of Clerk Typist is created and Michayla McMahan is appointed
- 8) Highway Department: The title of Working Foreperson is hereby created and Timothy Calyer hereby appointed. Timothy Calyer will also continue his appointment in the statutory position of Deputy Superintendent of Highways.
- 9) Animal Control Officer is retitled as Dog Control Officer
Councilman Bob Balcom seconded the resolution.

Discussion: Swartz asked what was wrong with the Deputy Superintendent of Highways and how it would affect the union contract. Lull explained that the Civil Service did not have the title the Town had used and thus it needed to be changed, but that the modification would not change Calyer's job description. She added that according to Noblen and Richardson, it should not cause any conflict, and that Calyer and Rickert were consulted about the change as well. Balcom explained that Calyer was not part of the union but still doing the work. Swartz asked about the Animal Control Officer and the retitling to Dog Control Officer, and wondered if that meant that the Town position of ACO would change and no one would handle other animals but there would only be a DCO to handle dogs. Lull replied that the issue would be addressed in the future, but in the meantime, this was to make the Town compliant with Civil Service. There was other discussion regarding Civil Service and Rappleyea clarified the difference between testable positions and otherwise, saying ultimately that every municipal position must have a Civil Service title. Swartz concluded that he was concerned that if an animal call came in, the Town would not be able to assist since it only handled dogs. Rappleyea stated that the Town still has an animal control law and any change to that would require further discussion.

VOTE: Ayes All

Nays None

The resolution was adopted.

4. **Zoning Implementation (Balcom):** The Board agreed to schedule Principal Planner Nan Stolzenburg to come for the April 7th workshop meeting. Swartz asked if it was possible for her to send materials ahead of time since it would be nice to have that before the meeting. Balcom replied that it was a good idea and would check into it.

REPORTS

1. **Assessors:** Lull read a report from Assessor Dan Horst to note that the assessment role is available for review on March 24th and March 31st from 9:00AM to 4:00PM.
2. **Sheriff:** Lull stated that the Deputy Sheriffs would report when it is necessary. Swartz replied that he spoke to a Deputy that day who said that they are unable to give the type of report that Lull was asking for since it was not information that they can give out. In addition, it is not their duty to be present at Board meetings unless requested for security purposes. Lull said when she initially met one Deputy, he stated that they would like to report to the public. Swartz agreed that they would like to, but are unable due to higher regulations.
3. **Highway:** On file.

RESOLUTION #84-16: To Accept Bid for Equipment Trailer

Offered by Councilwoman Landra Haber, moved adoption of the following:

Whereas, the Town of Chatham Superintendent of Highways has received three bids for (one) Equipment Trailer, Model #BP0725DE, 16,100-lb GVWR for the Highway Department, and Whereas, the Highway Department has a budget of \$19,400 in the Highway Machinery Account (DB5130.2), and

Therefore, Be It Resolved, that the Chatham Town Board accepts the bid for (One) Equipment Trailer, Model #BP0725DE, 16,100-lb GBWR from J & M Auto Repair, 2788 US Hwy 20, Nassau, NY for the sum of \$7,156.00 and will be paid with money budgeted in the Highway Machinery account (DB5130.2).

Councilman John Wapner seconded the resolution.

Discussion: Swartz stated that he spoke to Rickert that day who asked him to explain to the Board that the bid was for the middle-of-the road estimate, that the trailer had a weight limit, and that it was much quicker to move equipment with a trailer than to drive it to another location.

VOTE: Ayes All Nays None The resolution was adopted.

RESOLUTION #85-16: To Accept Bids for Bituminous Material and Calcium Chloride

WHEREAS, the Chatham Town Board accepts bids for Bituminous Material and Calcium Chloride for the period from April 1, 2016 through March 31, 2017, and

WHEREAS, the Chatham Town Board awards portions of the bids to more than one bidder based upon availability, location of material, location of potential job sites and/or price of the various materials from lowest bidder to highest bidder, and

THEREFORE, the Chatham Town Board accepts the following bids for Bituminous Material and Calcium Chloride for the period April 1, 2016 through March 31, 2017.

THEREFORE, BE IT RESOLVED, that the Chatham Town Board accepts the bids as follows:

<i>MATERIAL</i>	<i>BID ACCEPTED FROM:</i>	<i>FOB</i>	<i>DELIVERED</i>
A. BITUMINOUS			
Dense Binder	Bidder 1: A Colarusso Bidder 2: Troy Sand & Gravel Bidder 3: Callanan Industries Bidder 4: New Castle Asphalt	\$ 40.95/ton \$ 41.00/ton \$ 42.00/ton \$ 42.50/ton	
7F Top Coat	Bidder 1: Troy Sand & Gravel Bidder 2: A Colarusso Bidder 3: New Castle Asphalt	\$ 47.00/ton \$ 47.40/ton \$ 49.50/ton	

	Bidder 4: Callanan Industries	\$ 53.00/ton	
6F Top Coat	Bidder 1: Troy Sand & Gravel Bidder 2: A Colarusso Bidder 3: New Castle Asphalt Bidder 4: Callanan Industries	\$ 43.00/ton \$ 44.50/ton \$ 46.50/ton \$ 48.00/ton	
Cold Mix	Bidder 1: A Colarusso Bidder 2: Troy Sand & Gravel Bidder 3: Callanan Industries	\$ 77.00/ton \$ 90.00/ton \$110.00/ton	
B. CALCIUM			
Winter (32%) Storage Tank	Bidder 1: The Gorman Group		\$.84 / gallon
Summer (35%) Storage Tank	Bidder 1: The Gorman Group		\$.84 / gallon
Applied to Roads (35%)	Bidder 1: Peckham Materials		\$.847 / gallon

Councilman John Wapner seconded the resolution.

VOTE: Ayes All

Nays None

The resolution was adopted.

4. **Code Enforcement/Zoning Enforcement:** On file.
5. **Dog Control:** On file from February 29th.
6. **Environmental Management Council:** No report.
7. **Justice Court:** Lull read the February report, which is also on file. Lull noted that the clerk's office will be moving upstairs and that the clerk and judges' offices will be switched. Swartz asked if the switch was why there was a \$1500 electrical expense. Lull agreed.
8. **Supervisor (County Business):** Lull mentioned County discussions on the broadband plan, saying that it is very important for people to have high-speed, dependable internet.
9. **Town Accountant:** On file. Rappleyea stated that it would be good for the Board to pass a resolution to accept the report.

RESOLUTION #86-16: To Accept Town Accounting Firm's Financial Report

Offered by Councilman Bob Balcom, moved adoption to accept the Town Accounting Firm's financial report for March 2016.

Councilwoman Landra Haber seconded the resolution.

VOTE: Ayes All

Nays None

The resolution was adopted.

10. **Town Clerk:** Rippel reported two things: A) Town Clerks across the county are working with Holly Tanner on KISS, Keeping Identities of Seniors Safe. Shredding bins are available at Town Halls for people to drop off papers that will be taken to a company in New Lebanon and shredded. Papers that have staples and paper clips are accepted. The program ends at the end of the month, but Rippel hoped to continue the program for residents in the future. B) Tax season is completed at the end of March, but she applied for an extension to collect until end of May, which usually collects \$12,000-\$15,000 in penalties. To date, \$5,241,458.66 was collected, which is 86% of the total amount, and Chatham usually collects a total of 93%. Swartz thanked Rippel for her work and service. Wapner asked how seniors knew of the KISS program. Rippel replied that Holly Tanner took care of the advertising on a County level, and that it is also included in the local paper and on the Town website.

OLD BUSINESS:

1. **Special Meeting on April 14th at 6:00 PM:** Lull reminded everyone that there will be a meeting at the Tracy Memorial Building between the Town Board, Mayor Tom Curran and the Village Board, the Town Justices, the Tracy Trustees, and the Friends of Tracy on April 14th at 6:00PM with special guest Carl Ublacker, the Land Use Training Specialist from the Department of State.
2. **Water Testing:** Lull mentioned a prior discussion with Town Engineer Patrick Prendergast about testing the water at Town-owned facilities. Prendergast came before the Board and talked about certain chemical concerns, his work and experience in Hoosick Falls, and how the local labs in Albany do not test for PFOA but that the Department of Health does. He concluded that the testing is expensive, but that it is probably a good idea, so he will order sample bottles and bring them over. The Board agreed that Crellin Park, the Town Hall, and the Highway Garage would be good to test.

RESOLUTION #87-16: To Test Water at Town-Owned Facilities

Offered by Councilman Henry Swartz, moved adoption to allow Town Engineer Patrick Prendergast to test the water at Town-owned facilities.

Councilman John Wapner seconded the resolution.

VOTE: Ayes All

Nays None

The resolution was adopted.

3. **East Chatham Light:** The Board heard a presentation about the current status of the East Chatham light project, including DOT traffic recommendations, the intersection realignment and paving plans, the budgeted cost for the project as \$180,000, and the estimated time of six to eight weeks for review as they begin the proposal. The presentation was also opened for questions from the public, in which some local residents expressed their approval of the proposal, asked clarifying questions about the plans for the intersection and guardrails, and if the Town would have another Public Hearing on the project. **Lull** replied that the Public Hearing would be the next item on the agenda and hoped to have an April meeting at the East Chatham Fire House like the Town did the previous year. The representative stated that he hoped to have the proposal submitted to DOT for the Town's May meeting, to which Lull replied that it might be possible to meet on May 5th in East Chatham. **Swartz** asked if emergency vehicles would be able to activate the light and the representative replied that they would, since that was a critical element they made sure to include.

Attorney Rappleyea explained the situation regarding the \$100,000 grant from Senator Kathy Marchione's office to finance the completion of the installation of a traffic light at the East Chatham Albany Turnpike/CSX Bridge and how the Board would need to proceed in regards to resolutions. He stated that as part of the final processing of that grant, it was necessary for the Town to conduct a State Environmental Quality Review, declare itself to be Lead Agency, and then make a determination on the environmental impacts of the project.

RESOLUTION #88-16: To Declare the Town to be Lead Agency for SEQRA Review

Offered by Councilwoman Landra Haber, moved adoption of the following:

WHEREAS, the Town of Chatham has been notified that it has received a grant from Senator Kathy Marchione's office to finance the completion of the installation of a traffic control light at the East Chatham Albany Turnpike/CSX Bridge, such project is entitled "Albany Turnpike

