

**TOWN OF CHATHAM  
488 STATE ROUTE 295  
CHATHAM, NY 12037**

**TOWN BOARD MEETING  
and Public Hearing on LL #3-17  
to permit Electric Vehicle Charging Stations as an Accessory Use**

**June 1, 2017**

**6:00 PM**

**PRESENT:** Supervisor Maria Lull, Councilman Bob Balcom, Councilwoman Landra Haber, Councilman John Wapner, Councilman Henry Swartz, Rec. Director Mike West, Town Clerk Beth Anne Rippel

Also present: community members

**CALL TO ORDER**

The meeting was called to order at 6:00 PM by Supervisor Lull .  
Councilwoman Haber led the pledge to the flag.

**PUBLIC HEARING**

To consider Local Law #3-2017 to permit electric charging stations as an accessory use in all zoning districts.

Supervisor Lull read proposed Local Law #3-17 to permit Electric Vehicle Charging Stations as an Accessory Use and opened the Public Hearing at 6:06 PM.

\*Councilwoman Haber explained that the Board needs to pass this local law now. There is an incentive of\$ 2500.00 to pass this local law, whether we do the charging stations or not. The \$2,500.00 can be applied as our local share. This incentive will sunset on July 31, 2017. Swartz added that it will, in essence, save the Town money.

Mike Blasl asked if there was any expense to the Town, Swartz answered no. But if we don't pass this local law there could be. The charging stations will be located in the municipal parking lot in the Village. The Town can charge for the use of the stations if we so chose.

There was no other comment and the Public Hearing was closed at 6:10pm

**PUBLIC COMMENT STATEMENT**

The Chatham Town Board appreciates information received from the public during the Public Comment portion of each meeting, which often is very helpful in the governance of the Town. It is, however, not intended to be a debate with the public or a question and answer period. Issues raised during the public comment may be addressed by the Board during its regular meeting or by the Supervisor between meetings as necessary. As a courtesy to the other members of the public, there is a 5 minute per person limitation on oral comments for each public comment period. The public is also encouraged to provide

the Board with written comments or materials when the subject matter cannot be presented in this time frame. Of course, while the Board discourages any remarks which may be considered defamatory or stigmatizing, it will not restrict the content of the public comment.

## **PUBLIC COMMENT**

Eric, and his wife Martha purchased property a year ago in East Chatham. He explained to the Board that they had been the target of false and slanderous remarks about their small backyard farm. Personal mail boxes were used to disseminate this flier to area residents. Eric wanted to assure the Board that they are raising several pigs which are no threat or health hazard to anyone living nearby. He will be happy to speak to anyone about their farming practices. The authorities have been notified because of the nature and content of the flier, which Swartz had a copy of. Since they are residents of the Town of Canaan Lull encouraged them to speak to their Town Supervisor to which Erik replied that he already has.

## **NEW BUSINESS**

1. To consider Bodhi Spa of Hudson teaching SUP board yoga classes at Crellin Park. Mike West, Recreation Director, will make presentation. West gave a brief presentation on the paddle board yoga program which will take place at Crellin park if the Board allows. West is asking the Board for a policy to follow for such groups wishing to use the Town facilities. Lull suggested that groups pay the Town 10% of their proceeds for each event/class held.

\*Motion was made by Councilman Swartz and seconded by Councilman Wapner to authorize Town Attorney Sal Ferlazzo to draft a *FACILITIES USE POLICY*. Motion carried.

2. Request for Chatham Area Business & Arts to use the municipal village parking lot on July 9 from 10 to 4 PM for Summerfest.

3. Planning meeting and discussion of the proposed Village Movement on June 5 from 10 AM to noon at North Chatham Library. Carol Hegeman asked the Town Board to attend.

4. CABA Board establishing a Chatham Area Economic Development Task Force to create an economic strategy for the Chatham area. Councilman Wapner will contact Tom Chulak.

5. Permit for Public Display of fireworks and appointment of the Supervisor as permit authority.

6. Town of Kinderhook request to continue to participate in Crellin Park summer program.

7. New lease received from Village of Chatham for Court offices and court room. Lull will meet with Mayor Curran, Judge Borgia Forster and Walt Simonsmeier to address some concerns. Swartz asked if the Town has accepted the liability with ADA compliance. "NO"

8. Town Clerk's request for parking lot barriers for Town Hall. Councilman Swartz suggested another type of barrier. He explained that parking blocks a hazard, they tend to launch vehicles up and over rather than stop them. He suggests cement bollards. Rippel will check on the cost.

## **OLD BUSINESS**

1. Drone video of points of interest of Town for proposed new website.

\*On a motion by Balcom and second by Haber the resolution was removed from the table for discussion. Motion carried. Lull thinks that we're not ready to do the website just yet and when we are we can put out RFPs for a drone video. We will need to be specific in what we want done. Haber expressed that this is something the Communications Committee can handle when the time comes.. There was discussion.

2. Ghent –Chatham Seniors

Lull spoke to Millie Hogencamp regarding the agreement between the Town and the Seniors. The Town Attorney has asked that the agreement be signed before any funds are released. The president of the group is not willing to sign. Lull explained that the document needs to be signed; there is a liability and Town residents should not bear that liability if something should happen. Haber stated that we can't ignore the legalities. Balcom stated that it's a gift of public funds which cannot be made until the agreement is signed.

## **RESOLUTIONS**

**RES. # 91-2017** authorizing aerial video of the Town of Chatham points of interest for proposed new website.

WHEREAS, the Communications Committee recommends to the Town Board that an aerial "drone" video of the points of interest in the Town of Chatham would enhance the new proposed town website; and WHEREAS, Collin Nicholas Anderson of Embry-Riddle Aeronautical University, a town resident would prepare a video to be approved by the Communications Committee for use on the town website at a cost of \$500.00; and THEREFORE, BE IT RESOLVED, that the Chatham Town Board authorizes

the Communication Committee to order the drone video of the points of interest in the Town at the cost of \$500.00 to be completed by September 1, 2017 and paid from Account No.\_\_\_\_\_.

No action taken.

**RES. # 103-2017** Permit for Public Display of fireworks and appointment of the Supervisor as permit authority.

WHEREAS the Town Board is authorized to appoint a Permit Authority representative under Penal Law section 405 section 1 to consider permits for public display of fireworks, NOW, it is hereby resolved that Maria Lull, Supervisor of the Town of Chatham, Columbia County, New York is hereby appointed under Section 405.00 of the Penal Law of the State of New York to consider and grant Permits under Penal Law section 405 as the Permit Agency.  
Motion made by Councilwoman Haber. Second by Councilman Balcom.

**VOTE**

AYE: Lull, Balcom, Haber, Wapner, Swartz NAY: None Resolution adopted

**RES. # 104-2017** on Local Law # 3-2017 permitting electric charging stations as an accessory use in all zoning districts.

WHEREAS, the Town Board of the Town of Chatham is considering a local law to permit electric vehicle charging stations as an accessory use in all zoning districts, WHEREAS, a public hearing has been held on June 1, 2017 at 6 PM for the enactment of said local law, NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chatham hereby approves the adoption of proposed Local Law entitled Local Law No.3 of the year 2017 a local law to permit electric vehicle charging stations as an accessory use in all zoning districts.

Motion made by Councilwoman Haber. Second by Councilman Swartz.

**VOTE**

AYE: Lull, Balcom, Haber, Wapner, Swartz NAY: None Resolution adopted

(Full copy of Local Law is attached)

**RES. # 105-2017** to authorize use of jointly owned municipal parking lot in the Village of Chatham for Summerfest by CABA.

WHEREAS, the Town of Chatham and the Village of Chatham own the municipal parking lot off Main Street in the Village of Chatham, and WHEREAS, the Chatham Area Business & Arts (CABA) organization is hosting the annual Summerfest in the Village of Chatham on July 9 from 10 AM to 4 PM and requests the use of the municipal parking lot property for music, entertainment, tent and stage, and will allow egress from the Parking Lot and accessibility to the handicap designated parking, and THEREFORE, the Chatham Town Board approves the blocking off of the municipal Parking Lot for music, entertainment, tent and stage on July 9 from 10 AM to 4 PM For Summerfest by CABA with completion of a facilities use application and certificate of insurance provided to the Town of Chatham Town Clerk prior to the event.

Motion made by Councilwoman Haber. Seconded by Wapner

**VOTE**

AYE: Lull, Balcom, Haber, Wapner, Swartz NAY: None Resolution adopted

**RES. # 106-2017** to accept the financial abstract to pay the town's bills.

Motion made by Councilwoman Haber. Second by Swartz

**VOTE**

AYE: Lull, Balcom, Haber, Wapner, Swartz NAY: None Resolution adopted

**RES. # 107-2017** To authorize the purchase of Highway Equipment

WHEREAS, the Superintendent of Highway has requested that the Town Board authorize the purchase of (One) 2017 Volvo VHD64F Cab Chassis w/body and plow equipment from Beam Mack Sales Service, Inc., and WHEREAS, the Town of Chatham adopted a Bond resolution on March 16, 2017 (Resolution 72-2017) authorizing the acquisition of equipment for highway department purposes and the issuance of serial bonds of the Town of Chatham, Columbia County, New York in an aggregate principal amount not to exceed \$375,000 pursuant to the local finance law to finance the cost thereof, providing that this resolution shall be subject to a permissive referendum, and WHEREAS, the Notice of Bond Resolution has been published in the Register Star and the Columbia Paper and has taken effect after thirty days without being contested, and THEREFORE, be it resolved that the Chatham Town Board accepts the Onondaga County Heavy Truck Class 8 Statewide Contract #7823 bid price per specifications for (One) 2017 Volvo VHD64F Cab Chassis w/body and plow equipment from Beam Mack Sales Service, Inc., 6260 E Molloy Road, East Syracuse, NY 13057 for the total price of \$ 218,010.08.

Motion made by Councilwoman Haber. Seconded by Councilman Balcom.

**VOTE**

AYE: Lull, Balcom, Haber, Wapner, Swartz NAY: None Resolution adopted

Wapner stated that he is not opposed to bonding but wants to know at what point debt service becomes a problem. How much debt can we hold? Maybe the Finance committee can get the answers.

\*In June the Master Gardeners will present Tick Awareness workshops. Dates and times are posted on the bulletin board.

**PUBLIC COMMENT**

Emilia Teasdale asked about the status of the East Chatham bridge. Lull stated that we are still waiting for DOT.

**MOTION TO CLOSE MEETING**

Motion to adjourn at 7:05PM was made by Councilwoman Haber. Seconded by Councilman Wapner. Motion carried.

Respectfully submitted by,  
Beth Anne Rippel, RMC

### Local Law No. 3 of the year 2017

A local law to permit electric vehicle charging stations as an accessory use in all zoning districts.

Be it enacted by the Town Board of the Town of Chatham as follows:

#### **Section I. Intent:**

It is the intent of the Town Board to encourage electric vehicle charging stations as a method of protecting the environment and to encourage the use of said vehicles in the Town by residents and visitors who use such vehicles.

#### **Section II. Definitions:**

1. **ELECTRIC VEHICLE CHARGING STATION**

A system for the charging of an electric vehicle. Components typically include a charging kiosk and a transformer.

2. **ELECTRIC VEHICLE CHARGING**

The use of an Electric Vehicle Charging Station by which electric vehicles are “fueled” through the transfer of electricity into the vehicle battery.

#### **Section III. Permit:**

No person shall install an Electric Vehicle Charging Station within the Town without a permit issued from the Building Department. Charging Station permits shall expire and become invalid unless the authorized installation is completed within six months of written approval. Upon completion of an installation, the permittee must contact the Code Enforcement Officer, and arrange an inspection of the charging station to ensure compliance with all federal, state, and local laws. The application for a permit shall be Two Hundred Dollars (\$200.00).

#### **Section IV. Conditions of Permit:**

The following requirements shall apply to all Electric Vehicle Charging Stations.

- (a) All installations must comply with National Electric Code, NFPA 70, and Article 625.
- (b) All installations must comply with the New York State Building Code, New York State Residential Code, New York State Existing Building Code, New York State Fire Code, New York State Plumbing Code, New York State

Mechanical Code, New York State Fuel Gas Code, and the New York State Energy Conservation Construction Code.

- (c) Any person installing a Charging Station must, prior to installation, notify the utility providing electric power to the property.
- (d) Each electric vehicle charging station shall include vehicle impact protection (bollards) or a similar structure.
- (e) Components for electric vehicle charging station may encroach up to 36 inches into a required setback or buffer.
- (f) No more than one charging station may be installed on any parcel except for the Business and Industrial District, where two charging stations may be installed on each parcel. Additional stations shall require a special use permit by the Zoning Board of Appeals.
- (g) Notwithstanding any regulation to the contrary, Electric Vehicle Charging shall be a permitted accessory use in all zoning districts.

**Section V. Penalties:**

Any person who violates this chapter or fails to comply with any of its requirements shall be subject to revocation of the charging station permit and/or the penalties provided in § 180-56 of the Code of the Town of Chatham.

**Section VI. Effective Date and Savings Clause:**

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation of the clause, sentence, paragraph, worked section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

This local law shall take effect immediately upon filing with the Secretary of State.