

## TOWN BOARD MEETING

June 15, 2017

6:00 PM

### **PRESENT**

Supervisor Maria Lull, Councilman Bob Balcom, Councilwoman Haber, Councilman Wapner and Councilman Henry Swartz, Highway Superintendent Joe Rickert, Town Clerk Beth Anne Rippel

And members of the public

The meeting was called to order at 6PM followed by the pledge to the flag.

### **CORRESPONDENCE**

1. Letter from Planning Board Chair on Flying Deer Nature Center requesting the Planning Board be declared lead agency.
2. Email from Mary Gail Biebel on Crandell Theater designated as a National Historic site.

### **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**

None

### **SUB-COMMITTEE REPORTS**

- Report by Councilwoman Haber and Councilman Wapner regarding the Recreation & Parks Commission.  
Their focus has been on "Park Day" which will be held August 12. They're hoping to raise enough money to reimburse the Town for expenses incurred. They're working hard to make this a success. The focus is on "Chatham" and bringing more people from our community in and making them more aware and thinking of the Park as a resource. Mike West is working on field use, coordinating the food, bands etc. for the event. The Commission has also been working on a document which will make clear the relationship between the Crellin Park Foundation and the Commission. Lull asked about PR to which Wapner responded that there will be signage, a flyer distributed and a piece in the Columbia Paper to promote the event.

- Report by Councilman Balcom on the meetings of the Citizens Finance and Planning Committee. They are still working on comparing elected officials salaries, it's complicated. They're removing the variables and have narrowed it to 6 towns with similar demographics. . Members have been asked to identify priorities and bring them to the next meeting. They'll be getting ready for the budget season.
- Report by Councilman Balcom on the Advisory Committee to work with Nan Stolzenburg, Principal Planner. Balcom reported that there will be a resolution tonight to schedule a public hearing to add the Source Water Plan to the Comprehensive Plan. Phase 1 is done and is with John Lyons for review then the Town Board should have the document in July for their comments. There is a question about "notifying abutters". A practice which has been followed by applicants in the past but has not been part of the Town Code, this will have to be added.
- Report by Councilwoman Haber & Councilman Swartz on Climate Smart Community Committee. Haber reported that they have been working on developing a plan for clean energy and more generally for Climate Smart Communities. Jan Storm has been a "work horse" of the committee. Storm has agreed to be the coordinator for the group's endeavors and keeping track of all aspects of their work.
- Report by Councilwoman Haber on the Communications Committee. Haber is trying to set a meeting date to go over Google Suites. The drone video is off the table for now.
- Report by Councilman Wapner and Councilman Swartz on Road Committee. Wapner read the mission statement developed by the Committee. They will meet twice a month and hope to have their goals completed by October.

## REPORTS

Highway Department – report on file

Code Enforcement/Building Inspector – no report

Dog Control – no report

Environmental Management Council -

Justice Court – report on file

Assessor – report on file

Office of the Aging Advisory Board - Carol Hegeman reported that the meeting held at the North Chatham Library was not well attended but the small group listened to a presentation on the "Village Movement". A program aimed at seniors living and aging in place.

Recreation Director - report on file

Registration went well and all programs are full at this point. There is a waiting list of children who could not be accommodated and Swartz asked what could be done for next year to expand programs to be able to include everyone who wants to attend camp. Haber would like to be able to refer those on the waiting list to other camps in the area.

Supervisor's Report – report on file

Lull has been attending Planning and Zoning board meetings and the Boards seem to be doing an excellent job, they seem to enjoy the challenge.

Town Accounting firm – Monthly Financial Report & Abstract – report on file

Town Clerk - Rippel reported that 2017 tax collection is over and the books have been returned to the Columbia County Treasurer. Invasive Species Awareness Week (ISAW) is July 9<sup>th</sup> through July 15<sup>th</sup>. For information on invasive species removal projects, presentation, film screenings, guided hikes and more contact DEC at [www.dec.ny.gov](http://www.dec.ny.gov). The quarterly K.I.S.S. program will once again have secure bins in the lobby of the Town Hall until June 30th. All seniors are welcome to drop off paperwork containing personal information during regular business hours.

## **NEW BUSINESS**

- Recommendation by Planning Board Chair, Gabriella Sperry, to appoint Robert Walker, First Deputy Chair, and Angus Eaton, Second Deputy Chair of Chatham Planning Board.
- Recommendation by Zoning Board of Appeals Chair, Kandace Eaton, to appoint Daniel Persing Deputy Chair of the Chatham Zoning Board of Appeals.
- Planning Board Chair's letter to designate Planning Board as lead agency on Flying Deer Nature Center. Motion was made by Supervisor Lull to designate the Planning Board as lead agency on flying Deer Nature Center. Councilwoman Haber seconded and the motion carried.

## **OLD BUSINESS**

- Correction in the date for the Chatham Area Business & Arts organization Summerfest to Saturday, July 8, 2017.
- New York Rural Water Association, Steven Winkley's Report Town of Chatham Source Water Protection Plan be formally made a part of the town-wide Comprehensive Plan. Set date for Public Hearing.

## **RESOLUTIONS**

Revise date on Resolution 105-17 to authorize use of the jointly owned Municipal Parking lot property in the Village of Chatham.

On a motion by Councilwoman Haber and second by Councilman Balcom the Board voted to revise the date in Res. #105-17 from July 9<sup>th</sup> to read July 8<sup>th</sup>, 2017. Motion carried.

**RES. # 108-17** to accept the Abstract as presented and to pay the bills. Offered by Councilman Wapner. Seconded by Councilwoman Haber.

**VOTE**

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

**RES. # 109-17** to appoint First & Second Deputy Chairs to the Planning Board.

WHEREAS, the Planning Board is established by Town Law, and WHEREAS, the Planning Board performs duties and exercises power and authority with regard to planning, subdivisions, and land use regulatory controls as prescribed by ordinance and state law, and WHEREAS, the chair and members of the Planning Board were appointed January 19, 2017, and NOW, THEREFORE, be it resolved that the Town Board makes the following appointments effective June 15, 2017:

Robert Walker	2017-2018	First Deputy Chair
Angus Eaton	2017-2019	Second Deputy Chair

Offered by Councilwoman Haber. Seconded by Councilman Wapner

**VOTE**

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

**RES. # 110-17** to appoint Deputy Chair to the Zoning Board of Appeals.

WHEREAS, the Zoning Board of Appeals is established by Town Law, and WHEREAS, the Zoning Board of Appeals performs duties and exercises power and authority with regard to zoning, zoning administration, and land use regulatory controls as prescribed by ordinance and state law, and WHEREAS, the chair and members of the Zoning Board of Appeals were appointed January 19, 2017, and NOW, THEREFORE, be it resolved that the Town Board makes the following appointment effective June 15, 2017:

Daniel Persing	2017-2020	First Deputy Chair
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Offered by Councilman Balcom. Seconded by Councilwoman Haber.

**VOTE**

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

**RES. # 111-17** to schedule a Public Hearing to add the Source Water Protection Plan to the Comprehensive Plan.

WHEREAS, the Town Board of the Town of Chatham, is considering the New York Rural Water Association report "Town of Chatham Source Water Protection Plan" be formally made a part of the town wide Comprehensive Plan, and WHEREAS, a public hearing is required before this action can take place, and NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chatham hereby directs that a Public Hearing will be held by the Town Board of the Town of Chatham on July 6, 2017 at 6PM at the Town Hall, 488 State Route 295, Chatham, NY to hear all interested parties regarding the proposed addition of the Town of Chatham Source Water Protection Plan as part of the Town of

Chatham Comprehensive Plan, and BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to publish Notice of Public Hearing in the official newspaper as designated by the Town Board and that copies of the said Town of Chatham Source Water Protection Plan are available for review at the Town Clerk's Office.

Offered by Councilman Balcom. Seconded by Councilwoman Haber

**VOTE**

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

**RES.# 112 -17** to approve the minutes of the May 4<sup>th</sup> and May 18 2017 Town Board Meetings.

Offered by Councilwoman Haber. Seconded by Councilman Wapner

**VOTE**

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

**RES. # 113-17** to accept the town accountant's financial report.

Offered by Councilman Balcom. Seconded by Councilman Wapner.

**VOTE**

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

**RES. # 114-17** to approve Park Day and loan to underwrite.

WHEREAS, the Recreation Commission and the Recreation Director requests the Town Board to approve a special community, recreational and fundraising event August 12, 2017 from 12 noon to 5PM to be known as "Park Day" at Crellin Park on Route 66 in Chatham, to encourage and foster community participation in the town owned Crellin Park, and WHEREAS, funds were not appropriated in the Recreation Department 2017 Budget, but are available in the General Fund A Contingency account (A1990.400) to cover the costs, and WHEREAS, the Recreation Commission requests that the General Fund A Contingency account (A1990.400) temporarily loan \$3,000 to the Recreation Department budget to underwrite this special community recreational and fundraising event known as Park Day, and THEREFORE, the Chatham Town Board approves this special community, recreational and fundraising event at Crellin park on August 1, 2017 from 12 noon to 5PM and the temporary loan from the General Fund Contingency account (A1990.400) to the Recreation Department account (A7140.21) of \$3000.

Offered by Councilwoman Haber and seconded by Councilman Balcom.

**VOTE**

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

**RES. # 115-17** to approve the Municipality Software Suite purchase.

WHEREAS, the Building Department is in need of a new software program which was not allocated at the time the 2017 Budget was adopted, and WHEREAS, funds are available in the General Fund A Contingency account (A1990.400) to cover the costs for the Municipality Software Suite, and WHEREAS, the Town of Chatham Town

Board was presented on May 4, 2017 with a presentation of the Muncity Software Proposal which is a client/server Cloud based management program that integrates all aspects of the building, planning, zoning, engineering, fire inspectors, and assessor, and many other areas, and THEREFORE, the Chatham Town Board approves the investment of Muncity Software Suite as follows:

Initial licensing (includes training)	\$6,650
Implementation/initial cost	\$2,500
+Maintenance/support/hosting	\$1,330 (annually)
Standard iPad 1 @ \$260 each	\$ 260
Verizon/ATT Data Plan for iPads 1 GB Plan	
+\$25/month x 12 = \$300 annually	
August to December 2017 =	<u>\$ 125</u>
<u>Total Investment for 2017</u>	<u>\$10,865</u>

BE IT FURTHER RESOLVED that the sum of

1. \$2,173.00 be transferred from Fund A Contingency (A1990.4) to Assessors Department Equipment Expense Account (A1355.2) 20%.
2. \$6,519.00 be transferred from the Fund B Unreserved Fund Balance to the Building Department Equipment Expense Account (B3620.2) 60%.
3. \$1,086.50 be transferred from the Fund B Unreserved Fund Balance to the Zoning Department Equipment Expense Account (B8010.2) 10%.
4. \$1,086.50 be transferred from the Fund B Unreserved Fund Balance to the Planning Department Equipment Expense Account (B8020.2) 10%.

Total: \$10,865.00

Offered by Supervisor Lull and seconded by Councilwoman Haber.

Swartz asked if the money for this purchase was coming from the unreserved fund balance since it wasn't budgeted for, the answer is yes. Lull reported that there is \$36K in the unreserved fund balance. With this expense there will be about \$24K left. Swartz asked what the accountant thought of this. Lull responded that we're half way through the year and both Lisa and Tammy Shaw reviewed it.

**VOTE**

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

**RES. # 116-17** to purchase a new body for Truck #37 for the sum of \$29, 995.00.

WHEREAS, the Superintendent of Highway has requested that the Town Board authorize the purchase of (One) Everest SDS10W3039 All Season Dump Body for Truck #37 from Zwack, 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 Oneida County Contract #1751 bid price per specifications for (One) Everest SDS10W3039 All Season Dump Body from Zwack, Inc., Route 22, Stephentown, NY for the total price of \$ 29,995.00.

Offered by Councilwoman. Seconded by Councilman Wapner.

**VOTE**

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

**RES. # 117-17** to amend 284 Agreement due to increase in CHIPS funding.

**RESOLUTION TO INCREASE CHIPS BUDGET**

WHEREAS, the Consolidated Highway Improvement Program (CHIPS) is budgeted for \$219,000.00 in the 2017 Town Budget (DB5112.489), and WHEREAS, the 2017-2018 New York State Budget included extra funding for the Town of Chatham in the sum of \$92,105.56 for the "PAVE,NY" and the "Extreme Winter Recovery" Funding, and THEREFORE, BE IT RESOLVED, the Chatham Town Board authorizes the increase to the CHIPS (DB5112.489) budget appropriation by \$92,105.56 for Highway improvement, changing the total budget for (DB5112.489) to \$311,105.56.

Offered by Councilman Balcom. Seconded by Councilwoman Haber

**VOTE**

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

**RES. # 118-17** to approve the revised 284 Agreement to spend Town Highway Funds.

WHEREAS, the Chatham Town Board and the Superintendent of Highways are required by Highway Law § 284 to enter into a written agreement stating the places and manner in which the Highway Fund appropriations for repairs and improvements are to be expended; and WHEREAS, the "CHIPS" Funding has increased for the 2017-2018 year and a revised Agreement to spend Town Highway Funds for the fiscal year commencing January 1, 2017 is needed, and THEREFORE, BE IT RESOLVED, that the Chatham Town Board hereby approves the revised 284 Agreement to spend Town Highway Funds.

Offered by Councilwoman Haber. Seconded by Councilman Wapner

**VOTE**

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

Rickert reported that Rock City Road has reached the end of its 10 year sustainability window and is showing signs of wear. CHIPS funding will cover the paving project since this is a 10 year reversible project. An outside contractor will be brought in to do the road using a new procedure at a cost of about \$103,000.

**RES. # 119-17** to designate the Planning Board as lead agency on the Flying Deer Nature Center application. Offered by Supervisor Lull. Seconded by Councilwoman Haber

**VOTE**

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

**PUBLIC COMMENT**

- Swartz brought up the letter from Village Mayor Tom Curran regarding the Tracy Memorial. Lull met with Curran, Borgia-Forster and Walt Simonsmeier , new Village judge. They discussed the lease, three year not a six year lease. Lull asked about the timeframe for the Village to become ADA compliant and they weren't sure. Lull is waiting to hear back from the Village board. Swartz is opposed to leasing the Tracy for our court space since it is not ADA compliant. We need to actively look at other locations and another solution to the problem. The Village has pretty much told us they don't have the money. We could be putting the rent money into something that we could own. Lull said that we would have to float a bond. Swartz feels that we should be looking into it.
- Werwaiss asked if the Town would be interested in having another court join us in addition to the Village.
- Mike Blasl responded that the Tracy is trying to meet ADA regulations. This is a very costly process and it's slow moving. A grant writer has been hired and an architect has been brought in to assess the building and in the next six months we'll see if this all pays off. This is a concern of the Village Board.
- Werwaiss asked how much the rent was. Lull responded that it is \$1500./month and the Village would like to increase it to \$1650./month. Is there other space in town which the Town could rent for \$1500.K?
- Swartz stated that when the current Town Hall was purchased it was purchased with the intent on expanding to accommodate the Court. With cooperation of the Village there are departments which could be combined but they don't have the room at the Tracy to do it. Lull interjected and said that they made that proposal already. Lull stated that Kate Johns did a schematic which would accommodate the Town and the Village without changing the footprint of the Tracy except for the addition on the outside of the building for the elevator. The Village did not want to do it. With merging of offices we would have \$400,000 directly from the State and also money from shared services programs which the Governor has rolled out. Swartz agrees with all of this but disagrees with the location. There isn't room at the Village and we should just build/share here at the Town Hall.
- Werwaiss believes that there are too many governments around.
- Balcom wants to create a committee to look at this again and discuss with the accountants. Lull said that there is something about the Tracy that lends itself to being courthouse.
- Swartz stated that everyone likes the court house and loves the old building but it's not ADA compliant.
- Werwaiss asked if the Town could give the Tracy money to make it ADA compliant, it might be cheaper than an addition on the Town Hall.
- Blasl said that he didn't think the Town had any money. Last year they were looking at every way they could to cut. He doesn't think there's money here.
- Swartz said that this has been dropped, Lull disagreed. There are certain people who want to stay at the Tracy and some who don't and after that it was just left. There hasn't been any more discussion.
- Blasl stated that the Tracy has been actively moving on this. He surmise that in the next 5 or 6 years

that we do see the ADA compliance completed and there is no one who has been involved in the process who doesn't want to see this happen.

Werwaiss thinks the town needs to look into a cheaper and longer term option.

- Cindy Bobseine asked if there are alternatives and has the Town been active in addressing the situation. Balcom and Lull said that it had been reviewed several years ago.

- Kleiman-Levine said that the Town needs to review this again. We are not making anything accessible to this point.

- Ferlazzo will talk to the OCA to see if there are any options. The Feds are going to work with you but you do have to moving in that direction.

On a motion by Supervisor Lull and second by Councilwoman Haber the Board entered Executive Session at 7:30 PM under Public Officers law §105. D. to discuss CSX and proposed, pending or current litigation Motion carried.

On a motion by Councilwoman Haber and second by Councilman Wapner the Board left Executive Session at 8:10 PM. Motion carried.

**MOTION TO CLOSE MEETING**

On a motion by Councilwoman Haber the Board adjourned at 8:10 PM. Councilman Wapner seconded and the motion carried.

Respectfully submitted by,

Beth Anne Rippel, RMC  
Town Clerk