

Town of Chatham
SPECIAL TOWN BOARD MEETING
August 17, 2017
5:00 PM

PRESENT

Supervisor Maria Lull, Councilman Bob Balcom, Councilwoman Landra Haber, Councilman John Wapner, Councilman Henry Swartz
Also present were several members of the public

Supervisor Lull called the meeting to order and Councilwoman Haber led the pledge to the flag.

TOWN BOARD TO REVIEW & DISCUSS DRAFT ZONING LAW
Councilman Balcom presented the *Use Table* to the Board for their review. As they discussed each *Use* they identified those which may be of some concern to the residents. Discussion will continue

REGULAR TOWN BOARD MEETING AT 6 PM

Supervisor Lull called the meeting to order and Councilman Swartz led the pledge to the flag.

CORRESPONDENCE

- Letter from Charter Communications on proposed rate increases.
- Letter from NYS DOT on paving State Route 295
- Email from Karen Murphy commending the Rec. Commission on Crellin Park Day.

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

Eugene Gierka, a representative of Stony Kill Disc Golf club reported that he had been communicating with Town Attorney Sal Ferlazzo regarding a *Use Agreement* as it relates to the use of the property at the Town Hall. The Club will not agree to any lease or *Use*

Agreement. If there are concerns about the volunteer work that goes on on the course that would be something to address separately. The original agreement of five or so years ago was that the Town would allow the group to use the property at the Town Hall for a disc golf course. The group would raise the money, supply volunteers, and build and maintain the course for use by the public. Any other activity on the course besides the occasional tournament is considered “park use”, people use the course as they would use Crellin Park facilities. The Club carries insurance for tournaments only but there is no insurance for volunteers. What are the Town’s concerns, the way they operate the course? What restrictions does the Town want to implement? Lull suggested, since Gene was not on the agenda, that they set up a conference call with Ferlazzo. Swartz interjected and said that the attorney was concerned about the use of power tools and other machinery by Club volunteers on Town property. Gierka said they have a number of members who are OSHA certified to run power equipment, specifically chainsaws. The Town did remove large trees after a weather event at one time but regular maintenance is done by club volunteers. They raised money to purchase a mower and trimming is done with hand tools. Swartz said the other concern is night play. Gene said the Town could post signs stating that there is no play after dark. Their group would be happy to spread the word amongst players about new rules and regulations if the Town choses to post them. Again, maintenance is done by volunteers on this golf course whereas in other locations the municipalities maintain the course, this is a unique situation.

SUB-COMMITTEE REPORTS

- Report by Councilwoman Haber and Councilman Wapner regarding the Recreation & Parks Commission.
Wapner reported that Crellin Park Day was well received. There were many volunteers and the activities were on target. Families seemed to really enjoy themselves. Wapner stated that he had asked Mike West to do the financial accounting on the event and he as of yet has no figures. The event brought awareness to the Park and there will be another of its kind next year. No August meeting
- Report by Councilman Balcom on the meetings of the Citizens Finance and Planning Committee.
They met on July 18 and will meet again Friday August 25.
- Report by Councilman Balcom on the Advisory Committee to work with Nan Stolzenburg, Principal Planner.
Balcom reported that they had taken a break and will resume work on Phase II in late September/early October.
- Report by Councilwoman Haber & Councilman Swartz on Climate Smart Community Committee. Same report as August 3rd. The

Committee is looking to enlarge.

- Report by Councilwoman Haber on the Communications committee. Haber reported that they have not met.
- Report by Councilman Wapner and Councilman Swartz on Road Committee. Same report as August 3rd. Swartz said the group is finding it hard to agree on what a “link” road is. Rickert is conducting traffic studies on certain roads so the committee does not have to guess on the number of vehicles using that road each day.

REPORTS

- Highway Department - report on file.
- Code Enforcement/Building Inspector
- Dog Control
- Environmental Management Council
- Justice Court – report on file
- Assessor
- Office of the Aging Advisory Board
- Recreation Director - report on file
- Supervisor’s Report – report n file
- Town Accounting firm – Monthly Financial Report & Abstract – report on file
- Town Clerk

NEW BUSINESS

Councilman Swartz reported on the informational meeting on the Albany Hudson Electric Trail which will run from Hudson to Rensselaer. The Trail is on the National Grid owned trail. There were many residents at the meeting with apprehensions about the trail running so near to their properties; what is the liability? EMS is concerned about being able to access the trails in case of an emergency and municipalities are wondering about maintenance after the trail is constructed. This is a State project and Swartz feels that this is a “done deal”. However they’re hoping the project managers will listen to the residents’ concerns.

OLD BUSINESS

Climate Smart Committee awarded \$2,500 grant for Electric Charging Station.

Councilwoman Haber reminded the Board that the \$2,500 was not necessarily a grant but an incentive check for having passed Local Law #3, EVCS.

RESOLUTIONS

RES. #136-17 Flying Deer Nature Center

WHEREAS, the Town Board held a public hearing on Thursday, April 6, 2017 at 6 p.m. to consider the request by Jeanne M. Laskin, as Trustee for a hardship variance to the moratorium under Local Law No. 1 of 2015, as extended by Local Law No. 2 of 2017 for a proposed project at 122 Daley Road related to the Flying Deer Nature Center and considered all evidence presented at said hearing and **WHEREAS**, the Town Board granted a limited variance to allow applicant to begin the process of applying for necessary approvals from the Planning Board and the Zoning Board of Appeals, and the applicant has processed applications before those Boards,

WHEREAS, since granting Ms. Laskin the hardship variance, over the last several months the Town Board has had the opportunity to closely watch the Planning Board’s SEQRA environmental review of the Flying Deer Nature Center (FDNC) application (in which the Town Board participated as an Involved Agency), the Planning Board’s review of the FDNC site plan application, and the Zoning Board of Appeals’ review of the FDNC special use permit application, and the Town Board is convinced from monitoring the progress of those reviews that the Planning Board and the Zoning Board of Appeals have carefully and thoroughly reviewed the FDNC application, listened to public comment and will be addressing all impacts of concern through conditions which are anticipated to be placed on both site plan approval and a special use permit, **NOW**, be it **RESOLVED**, the applicant’s request for final relief from Local Law 2 of 2017 is fully granted whereby she may proceed with the application for the Flying Deer Nature Center project without regard to Local Law No 2 of 2017 and the Planning Board and Zoning Board may grant or deny the applications in the ordinary course of business.

Offered by Councilwoman Haber and seconded by Councilman Swartz

Town Board Members

	<u>Aye</u>	<u>Nay</u>
Maria Lull	X _____	_____
Bob Balcom	X _____	_____
Landra Haber	X _____	_____
Henry Swartz Jr.	X _____	_____
John Wapner	X _____	_____

Resolution adopted.

Attorney Larry Matches appreciates the confidence the Board has shown in FDNC.

RES. #137-17 to install weight limit signs on Raup Road.

WHEREAS, the Superintendent of Highway has requested that the Town Board authorize the temporary installation of 5-Ton Weight Limit signs on Raup Road, and **WHEREAS**, Cash’s Bridge, carrying County Route 9 over Indian Creek, is currently

closed for repair causing an increase of traffic on Raup Road, and *THEREFORE*, be it resolved that the Chatham Town Board authorizes the temporary installation of 5-Ton weight limit signs on Raup Road, in the Town of Chatham, to reduce damage to the town road due to heavy trucks and equipment traveling on road. Offered by Councilman Swartz and seconded by Councilwoman Haber.

VOTE

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

RES. #138-17 to accept the financial abstract as presented and to pay the Town's bills pending review. Offered by Councilwoman Haber and seconded by Councilman Balcom

VOTE

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

RES. #139-17 to approve the minutes of July 6 and 20, 2017. Offered by Councilman Wapner and seconded by Councilwoman Haber.

VOTE

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

RES. #140-17 to accept the town accountant's financial report of 07/31/17. Offered by Councilman Balcom and seconded by Councilwoman Haber.

VOTE

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

Supervisor Lull read a letter written by Attorney Sal Ferlazzo, on behalf of the Town of Chatham, to CSX regarding the East Chatham Bridge.

PUBLIC COMMENT

Adelle Kleiman-Levine appreciates the attorneys efforts in dealing with CSX and the East Chatham Bridge.

On a motion by Councilwoman Haber and second by Councilman Wapner the meeting was adjourned at 7PM. Motion carried.

Respectfully submitted,

Beth Anne Rippel, RMC, Town Clerk/Collector