

TOWN BOARD MEETING

Chatham Town Hall

488 State Route 295

February 16, 2017, 6:00 PM

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

CALL TO ORDER: Lull called the meeting to order at 6:00 PM and led the pledge to the flag.

CORRESPONDENCE

Maria Lull read Justice Jason Shaw's letter of resignation as of May 1, 2017. He sold his house and will be relocating out of town. His last court date will be April 12, 2017. Currently investigating two experienced court lawyers. Considering appointing an attorney or someone with experience in higher volume court. Also considering asking District Attorney to assist weekly prior to resignation.

PUBLIC COMMENT

Lull read guidelines for public comment.

SUB-COMMITTEE REPORTS

Recreation & Park Committee (Haber, Wapner): Next meeting will be February 20, 2017 to discuss four fund raisers and increase usage in the summer to the public. Necessary meeting for the Children's Gardening Plans, with Chatham Central School to involve students in projects at the park. Moving Arbor Day to the park to plant pine trees on the bank of the pond at Crellin's. This will make a difference year by year. Board approached Chatham Brewery for the bike race on May 31, 2017. Mike West is working with the Chatham Brewery on this proposal for the February 27, 2017 meeting.

Citizens Finance and Planning Committee (Balcom): Bob Balcom met February 10, 2017 to talk about salaries for the town board members. Using an Employee Practice Manual and doing a comparison study of other town board salaries. Deferred to Joe Rickert's labor report about the dirt road discussion. Maria Lull signed an extension to finalize paying the 2016 bills.

Comprehensive Plan Implementation Group (Stolzenburg, Balcom): Meets two nights weekly, two hours each. Nan Stolzenburg was present. Plan to update usage tables across all zones. It will be more readable and comprehensible. Obtained a \$7,500.00 Greenway Grant (Hudson Valley), 50/50 grant. Bob said the reason for the grant to offset \$19,000 budgeted.

Climate Smart Community Committee (Haber): February 7, 2017 meeting focused on electrical vehicle charging system in the Village of Chatham. Haber can access a grant for \$1600.00 which requires a 20 % match. Applications need to be in by March 31, 2017 thru DEC. Need to arrange for DEC portal. Also able to apply for \$2500.00 grant that would offset 20 % matching fund for another smaller charging station. Ghent is also working on establishing a charging station. Need resolution to outline understanding between Town and Village. Committee will collaborate to facilitate applications via computer. First meeting will be on May 1, 2017. Previously passed by the Town Board was the resolution adopting the Unified Solar permit which limits solar to 12.5 kilowatts. Solarized plan has been put on back burner. Henry Swartz believes the committee will pursue solarize plan in future.

Communications Committee (Haber): Haber discussed social media policy, which will continue at next meeting. Bob Balcom noted citizens can sign up for e-mail.

REPORTS

Highway: On file. Rickert is concerned for the delay with DOT about the traffic light and bridge on Route 295. Joe and Engineer did a traffic study and DOT has delayed a response. Senator Marchione's office wanted to know why grant is not being used. Joe told them DOT is the stall. Joe is also concerned if putting project out for bid will cause another delay.

Discussion:

Wapner: Wanted to know if DOT’s concern legitimate?

Rickert: Yes, depending on the size of the vehicles, may need to extend the length of speed zone of SR 295.

Swartz: Can we limit certain types of vehicles on bridge?

Rickert: Some delivery trucks need to go over the bridge but typically semis do not. It would be an option.

Lull: Can the Engineer come up for a plan within one to two weeks?

Rickert: has knowledge that DOT has stalled on other plans

Lull: Suggest copy Senator’s office of engineer’s suggestion

Rickert: Can set a weight limit that would make a difference.

RES. # 57-2017: To Accept Bids for Highway Materials

Offered by Councilwoman Landra Haber, moved adoption as follows:

WHEREAS, the Chatham Town Board accepts bids for Miscellaneous Aggregate and Calcium Chloride for the period from April 1, 2017 through March 31, 2018, 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 miscellaneous aggregates and calcium chloride for the period April 1, 2017 through March 31, 2018.

MATERIAL:		BID ACCEPTED FROM:	FOB
A. Miscellaneous Aggregates			
Washed Stone: #1	Bidder 1:	Troy Sand & Gravel	\$ 8.50/ton
#2	Bidder 1:	Troy Sand & Gravel	\$ 8.50/ton
#3	Bidder 1:	Troy Sand & Gravel	\$ 8.50/ton
#1&2	Bidder 1:	Troy Sand & Gravel	\$ 8.50/ton
Stone Fill	Bidder 1:	Troy Sand & Gravel	\$ 9.00/ton
Crusher Run (Quarry)	Bidder 1:	Troy Sand & Gravel	\$ 7.50/ton
Crusher Run (Bank Run)	Bidder 1:	Rifenburg	\$ 6.75/ton
Stone Dust	Bidder 1:	Rifenburg	\$ 6.00/ton
	Bidder 2:	Troy Sand & Gravel	\$ 6.50/ton
Bank Run Gravel	Bidder 1:	Troy Sand & Gravel	\$ 3.65/ton
	Bidder 2:	Polaro Sand & Gravel	\$ 3.85/ton
	Bidder 3:	Rifenburg	\$ 3.90/ton
Item #4 Gravel	Bidder 1:	Troy Sand & Gravel	\$ 5.00/ton
	Bidder 2:	Rifenburg	\$ 5.60/ton
	Bidder 3:	Polaro Sand & Gravel	\$ 5.85/ton
	Bidder 4:	Bob Boll Excavating	\$ 10.75/ton
1” Gravel	Bidder 1:	Polaro Sand & Gravel	\$ 5.85/ton
Rip Rap	Bidder 1:	Troy Sand & Gravel	\$ 9.00/ton
Cobble	Bidder 1:	Polaro Sand & Gravel	\$ 6.85/ton
	Bidder 2:	Bob Boll Excavating	\$ 9.50/ton
Shale	Bidder 1:	Bob Boll Excavating	\$ 8.00/ton
6”-Shale	Bidder 1:	Bob Boll Excavating	\$ 8.75/ton
B. CALCIUM CHLORIDE			
	Bidder: 1	The Gorman Group	
		*32% Liquid Calcium deliv. to tank	\$.84/gal
		*35% Liquid Calcium deliv. to tank	\$.84/gal
		*35% Liquid Calcium applied	\$ 1.18/gal

Councilman Henry Swartz seconded the resolution.

VOTE: **Ayes** All, 5 (Balcom, Haber, Lull, Swartz, Wapner)

Nays None

The Resolution was Adopted.

RES. # 58-17: To Accept Bids for Guard Rail

Offered by Councilwoman Landra Haber, moved adoption as follows:

WHEREAS, the accepted bid for Guard Rail on February 18, 2016 is allowed for extension of bid for one year at the existing prices acceptable to the Town of Chatham and vendor, and

WHEREAS, the Chatham Town Board accepts extension of contract for guard rail from April 1, 2017-March 31, 2018 from Town & County Bridge and Rail, Albany, NY, and

THEREFORE, be it resolved that the Chatham Town Board accepts the following 2016 Guard Rail bid to be extended for an additional year, per same terms and conditions, from April 1, 2017 through March 31, 2018:

<i>MATERIAL:</i>				
B. GUARDRAIL & POST INSTALLATION		Lengths	Unit Price (New)	Unit Price (Used)
Bidder 1: (Sole Bidder)	Town & County Bridge & Rail			
	W-beam Rail	12'6"	\$5.84/ft	\$3.34/ft
	Box Beam Rail	18', 24'	\$20.74/ft	\$18.67/ft
	3" I-Posts		\$40.67/ft	\$15.94/ea
	Single Buffer Ends		\$43.00/ea	n/a
	Type I Ends		\$357.00/ea	n/a
	Radius W-Beam		\$9.67/ft	n/a
	Radius Box Beam		\$29.00/ft	n/a
	Complete layout/installation W-Beam Rail/Posts		\$6.45/ft	n/a
	Complete layout/installation Box Beam Rail/Posts		\$7.75/ft	n/a
	Layout/Installation Posts Only Prices include all assembly hardware.		n/a	\$294.00/hr

Councilman Bob Balcom seconded the resolution.

VOTE: Ayes All, 5 (Balcom, Haber, Lull, Swartz, Wapner)

Nays None

The Resolution was Adopted.

Joe Rickert: Concerned about the mechanical problems with Truck #75 2007 F550. Transmission is 10 years old and to fix it would cost \$7,000. To replace it for a 2017 would cost \$70,000. Two years ago \$5,000 was put into fixing this truck.

Mike Richardson: Suggested we purchase in way that payment is due in 2018

Swartz: Since Joe has a spare truck, can he use it as fill in. Suggested we take out loan for two pieces of equipment.

Rickert: He could buy some time by flushing transmission and pushing it until it doesn't run.

Wapner: Wants to know if this projected plan will fit in the Capital Plan this year.

Lull: Suggests that her and Joe talk to Bucci about bonding it and financing plans.

Rickert: On Highway Maintenance, cost for salt to date is in a good place. Spreaders are efficient.

Road grading on dirt roads has been necessary due to weather conditions. Bashford, Highland and Percy Hill roads will cost budget allocation. He's fielding calls from residents for petitioning for paving. Highland Road needs major repair.

Building Department: On file

Dog Control: On file

Environmental Management Council: Discussion

1: CLC & EMC-CLC received a \$43,000 grant to create a Natural Resource Inventory for Columbia County, encompassing 22 municipalities in the upper Hudson River estuary watershed. The information will be shared with local municipalities on their EMC website. Beginning January-June 2017 CLC contracted with Hudsonia for the data compilation, map preparation and drafting the document. Information about the project will be posted online, through the EMC webpage, by the end of the month-along with some initial maps.

2: COLUMBIA COUNTY SANITARY CODE-EMC believes this should be addressed-Columbia County does not have one. Tara Becker, County Health Dept has been in contact with NYS DOH Jack Mabb, Interim Public Health Director for a presentation.

3: There are other communities starting to be Climate Smart Communities, Chatham is the leader. Town liaisons share news monthly.

4: INVASIVE SPECIES RESOURCES-Deputy Policy Director giving presentation about ground zero for invasive species (e.g., hemlock woolly algid; emerald ash borer; oak wilt).

PRISM-Partnership for Regional Invasive Species Management-diverse stakeholder groups created to address threats (environment, economy, health) posed by invasive species across New York State.

NEW BUSINESS

Judge: Lull stated she has one application for Town Justice. Spreading the word to recruit applicants. She hopes to interview at next workshop. Any appointee must run by November 17, 2017. Appointee must take course.

Lawn Mowing at Crellin Park: Rickert recommended ACP who gave lowest bid. Asked Tammy to get two more bids with John Deere and Ferris Mowers.

OLD BUSINESS

Facebook: Discussed whether to reply to comments or not. Linda Ziskind suggested posting guidelines. Salvatore Ferlazzo stated there was a turn off provision for Facebook post. He also stated that defamatory is in the eyes of the beholder. We have to allow freedom of speech. Haber stated if you delete a comment it can be seen as denial of first Amendment of Rights. Salvatore recommended no one gets kicked off the page unless the board has the right to delete comments. Needs to have disclosure that comments may be reviewed by board.

Discussion:

Balcom feels Facebook is not a positive expression for the town and it will be a problem with whatever we do. He does not support it.

Haber feels there is need to work on webpage and is concerned about the first Amendment rights need to be protected.

Wapner agrees needs work on website. Facebook tends to raise issues we cannot address effectively.

Swartz also concerned about liability and the first Amendment issue. He supports getting rid of it.

Lull was a proponent. She sees it as a risk for the town and states it's unfortunate that people cannot be civil. Not all towns have Facebook.

Rickert does not respond to comments and does not delete comments. He uses Facebook to alert people to road projects.

Lull will draft an explanation to remove the Facebook page

MOTION: To Take Down Facebook Page

Offered by Supervisor Maria Lull, moved adoption to take down the Facebook page. Councilman Bob Balcom seconded the motion. Motion carried unanimously.

RES. # 59-17: To Set Building Department Fees under Town Code 124-6 & A190-1

Offered by Councilwoman Landra Haber, moved adoption as follows:

WHEREAS, the Town Board of the Town of Chatham is authorized to approve fees by resolution under Town Code sections 124-16 and A190-18,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chatham hereby approves the amended schedule of Fees under A-190-1, 2, 3, 4, 5 and 7 for Building Permit, Certificate of occupancy fees, Swimming pools and ponds, Demolition permits, Farm Building and Certificates of completion as contained in the amendments annexed to this Resolution as Exhibit A, and

BE IT FURTHER RESOLVED that the Appendix to the Town Code shall be modified to reflect said amendments, which are effective immediately.

Councilman John Wapner seconded the resolution.

VOTE: Ayes All, 5 (Balcom, Haber, Lull, Swartz, Wapner)

Nays None

The Resolution was Adopted.

RES. # 60-17: To Provide for the Defense of Town Officers and Employees

Offered by Councilwoman Landra Haber, moved adoption as follows:

WHEREAS, the Town Board of the Town of Chatham is authorized by Public Officers Law section 18 to provide for the defense and indemnification of Town Officers and Employees acting under and within the scope of their duties,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chatham hereby confers the benefits contained in Public Officers Law section 18 upon its officers and employees as defined in Public Officers Law section 18 (2) (b) and resolves to be held liable for the costs incurred under said Public Officers Law section 18 upon compliance with the terms thereof.

Councilman Bob Balcom seconded the resolution.

VOTE: Ayes All, 5 (Balcom, Haber, Lull, Swartz, Wapner) Nays None

The Resolution was Adopted.

RES. 50-17 to approve Town Board meeting minutes. (No minutes to approve.)

RES. # 51-17: To Adopt the Abstract and Pay Bills

Offered by Councilman Henry Swartz, moved adoption as to accept the abstract and pay the Town bills.

Councilwoman Landra Haber seconded the resolution.

VOTE: Ayes All, 5 (Balcom, Haber, Lull, Swartz, Wapner) Nays None

The Resolution was Adopted.

RES. # 52-17: To Accept the Town Accountant’s Financial Report

Offered by Councilman Bob Balcom, moved adoption to accept the Town Accountant’s financial report.

Councilwoman Landra Haber seconded the resolution.

VOTE: Ayes All, 5 (Balcom, Haber, Lull, Swartz, Wapner) Nays None

The Resolution was Adopted.

RES. # 53-17: To Identify Crellin Park as a Central Recreation Area and Resource for All Age Groups

Offered by Councilman John Wapner, moved adoption as follows:

WHEREAS, the Town of Chatham owns, maintains, and operates the property known as Crellin Park located on State Route 66, Chatham, New York;

WHEREAS, Crellin Park is a vital community resource and a resource for all age groups;

NOW THEREFORE, the town board considers Crellin Park as a vital community resource that it intends to keep and develop. The town government recognizes the park as central to a recreation program that is now and can continue to be an increasingly important resource to Chatham Citizens of all ages. Crellin Park provides opportunities for recreation enhance life in the town and develops community cohesion.

AND FURTHERMORE, the Town of Chatham’s Comprehensive Plan recognizes the park as a vital resource for recreation. The history of the Park, the Town Comprehensive Plan and the Plan for the Park recognize the park as a resource for all age groups.

Councilwoman Landra Haber seconded the resolution.

VOTE: Ayes All, 5 (Balcom, Haber, Lull, Swartz, Wapner) Nays None

The Resolution was Adopted.

RES. # 54-17: To Accept Proposal With Wild Goose Chase

Offered by Councilwoman Landra Haber, moved adoption as follows:

WHEREAS, the Town of Chatham owns, maintains, and operates the property known as Crellin Park located on State Route 66, Chatham, New York;

WHEREAS, Crellin Park Pond has a large wild goose population which occupies the pond and park grounds;

NOW THEREFORE, the town board accepts the proposal of Wild Goose Chase at the charge of \$50 per visit taking approximately 30 minutes per visit with 2 to 3 visits per week initially to rid the pond and park of wild geese. Work will commence in the early Spring and visits by Wild Goose Chase will be coordinated with direct supervision of the Recreation Director on geese activity and frequency of visits.

Councilman Bob Balcom seconded the resolution.

VOTE: Ayes All, 5 (Balcom, Haber, Lull, Swartz, Wapner) Nays None

The Resolution was Adopted.

RES. # 55-17: To Adopt Lease Agreement with Children’s Garden

Offered by Councilwoman Landra Haber, moved adoption as follows:

Resolved that the Town Board of the Town of Chatham authorizes the Supervisor to execute a lease agreement for a portion of Crellin Park with the Children’s Garden Center or its assignee, on the terms contained therein and available for inspection at Town Hall, which is for a 5 year period starting May 1, 2017, subject to the approval of all terms by the Town Attorney for the Town of Chatham and subject to Notice of Permissive Referendum being posted at Town Hall, Town of Chatham and being noticed in the official Town Newspaper.

Councilman Bob Balcom seconded the resolution.

VOTE: **Ayes** All, 5 (Balcom, Haber, Lull, Swartz, Wapner) **Nays** None

The Resolution was Adopted.

RES. # 56-17: To Accept the Proposal for a New Mower for Crellin Park

Offered by Councilwoman Landra Haber, moved adoption as follows:

WHEREAS, the Town of Chatham owns, maintains, and operates the property known as Crellin Park located on State Route 66, Chatham, New York;

WHEREAS, the riding mower used for the past 11 years at Crellin Park needs major repairs;

NOW THEREFORE, the Town Board authorizes the purchase of a new riding mower and accepts the proposal by ACP Power Equipment in Ghent for a Toro Z-Master 3000 25 HP KOH with 72” (74959) for \$7,799.00 delivered.

Councilman Bob Balcom seconded the resolution.

VOTE: **Ayes** All, 5 (Balcom, Haber, Lull, Swartz, Wapner) **Nays** None

The Resolution was Adopted.

PUBLIC COMMENT

Emilia clarified the board can make changes in weight limits on road.

Town Board reviewed the Building Department fees. Previously it has been reviewed by Land Use Attorney John Lyons. The updates are more realistic.

Tim Briney said to the Communications Committee they can use e-mail address to get communications. He asked the Communication Committee to develop a process to send regular e-mails to citizens who request it. He also asked the Board members to make an effort to alert citizens of news.

EXECUTIVE SESSION

Councilman Bob Balcom moved, Councilman Henry Swartz seconded, and carried unanimously to enter Executive Session at 8:10 PM to discuss negotiations with the Town Attorney.

Minutes taken by Cindy Bobseine