

**TOWN OF CHATHAM TOWN BOARD MEETING
DECEMBER 15, 2005**

The regular meeting of the Town of Chatham, Town Board was held on Thursday, December 15, 2005 at 7:00 pm at the town hall. Present were: Supervisor – Jesse DeGroot, Councilman – Jean Rohde, Councilman – Kary Jablonka, Councilman – Tom Meyn, Councilman – BethAnn Rippel, Town Clerk – Carol Gregg, Highway Superintendent – Joe Rickert, Town Attorney – Tal Rappleyea, Comptroller – Earl Kelsey and others.

Supervisor DeGroot opened the meeting and the pledge to the flag was led by Councilman Jablonka.

The Public Hearing for the Niverville Fire Dept. Contract was opened at 7:00 pm and was closed at 7:02 pm.

CORRESPONDENCE

NYSERDA concerning energy audit program.

REPORTS

HIGHWAY Joe Rickert reported that he had a meeting on Dec. 6, 2005 concerning the Town's gravel bank road. Report is on file.

CEO/ZEO report is on file.

SUPERVISOR COUNTY He reported that the County taxes will be increase 4.3%.

COMP PLAN Councilman Rohde reported that they are working on strategies.

NEW BUSINESS

MELISSA CODY AND RENEE BOUPLON spoke to the Town Board about farmland protection funding. Three Town of Chatham property owners (Robert Mitchell, Willie Denner and Claudia Kenny) are applying for funding from the NYSA&FPI for a Farmland Protection Grant.. The landowners will need the approval of the Town of Chatham, Town Board before applying. **ROBERT MITCHELL** told the Town Board that his land is one of the top ones in the state. **ERIC OOMS** feels that we need to preserve the land now not later. **COUNCILMAN JABLONKA** asked if the easement would affect the value of the land. **RENEE** stated that it would remain privately owned and on the tax rolls.

RES. #115-05 to support Landowners' joint application to the NYSFPP.

Councilman Jablonka offered Res. #115 and moved its adoption that

WHEREAS the Town Board of Chatham held a meeting on December 15, 2005, to discuss the request of William Denner and Claudia Kenny, Little Pine, LLC, and Robert Mitchell (hereinafter the "Landowners") to apply for a New York State Agricultural and Farmland Protection Implementation grant (hereinafter "Farmland Protection Grant") as described below;

WHEREAS the Town of Chatham is currently in the process of updating its comprehensive plan and associated zoning regulations, and as part of this process has been working the partnership with the Chatham Keep Farming Land Team. The Town of Chatham voted on July 28, 2005 to accept the recommendation of the Chatham Keep Farming Land Team, in which the Town agreed to: "Establish a permanent town agriculture committee to oversee the implementation of the Keep Farming initiatives, continue promotion of agriculture, coordinate citizen involvement, and investigate and coordinate access to private and public funds for ag-related initiatives";

WHEREAS the Town of Chatham's Draft Comprehensive Plan states that "We strive for no loss of farmland...Chatham has made a long-term commitment to being and remaining a farm community, and we make every effort to honor this commitment...We continue to commit significant resources dedicated to the long-term preservation of farmland...We believe that farming and ag-related business are a significant part of Chatham's economy. The Town is recognized as a farm-friendly community..."

WHEREAS the Landowners, all of whom own farmland within the Town of Chatham requested the assistance of the Columbia Land Conservancy to investigate whether they would like to participate in a Farmland Protection Grant;

WHEREAS the Landowners have worked with the Columbia Land Conservancy to prepare for a grant application, and should they wish to proceed, will therefore request that the Columbia Land Conservancy write a grant application on their behalf to allow them to apply for a Farmland Protection Grant;

WHEREAS such Farmland Protection Grant will not cost the Town any money, either in the preparation of the grant application or in securing the local 25% match as required by the grant, unless the Town wishes to assist with such funding. The Town acknowledges the considerable time undertaken by the Columbia Land Conservancy in providing this service, and appreciates their efforts to write the grant application on behalf of the Landowners and the Town of Chatham;

WHEREAS the Town of Chatham and the Columbia Land Conservancy agree that the Columbia Land Conservancy will negotiate the agricultural conservation easements with the Landowners and the State, prepare all necessary supporting documents for the easements, implement the project, hold the easements, and regularly monitor, enforce and defend the terms in a manner consistent with the State's Farmland Protection Program;

WHEREAS the Town of Chatham and the Columbia Land Conservancy agree that the Conservancy will administer a successful grant award, thereby sparing the Town any expense or substantial input of time or labor;

WHEREAS the Farmland Protection Grant requires that the municipality in which the proposed lands for agricultural protection are located submit the grant proposal; and

WHEREAS the Town Board recognizes that the Columbia County Agriculture and Farmland Protection Board must provide an endorsement letter with the grant proposal.

THEREFORE, let it be resolved that on behalf of, and in support of, the Landowners' joint application, the Chatham Town Board will submit an application to New York State's Farmland Protection Program, as discussed above.

Councilman Rohde seconded the motion.

Vote; ayes, all present

Nays, none and resolution was adopted.

RES. #116-05 to accept the Niverville Fire Protection contract for the Kinderhook Lake Fire Protection District.

Councilman Rohde offered Res. #116 and moved its adoption to accept the One Year Niverville Fire Dept. Inc. (Kinderhook Lake Fire Protection District) contract for 2006 in the amount of \$12,300.00. Councilman Meyn seconded the motion.

Vote; ayes, all present

Nays, none and resolution was adopted.

On January 19, 2006 at 7:00 pm, a Public Hearing will be held on Local Law #1-2006 for changes to the Zoning Law.

RES. #117-05 to accept the minutes.

Councilman Ripple offered Res. #117 and moved its adoption to accept the minutes of Nov. 17, 2005 regular town board meeting as written. Councilman Meyn seconded the motion.

Vote; ayes, all present

Nays, none and resolution was adopted.

RES. #118-05 to accept the Comptrollers report.

Councilman Rohde offered Res. #118 and moved its adoption to accept the Comptrollers report as written. Councilman Ripple seconded the motion.

Vote; ayes, all present

Nays, none and resolution was adopted.

RES. #119-05 to pay the monthly payroll early.

Councilman Meyn offered Res. #119 and moved its adoption to pay the monthly payroll on Dec. 19, 2005. Councilman Ripple seconded the motion.

Vote; ayes, all present

Nays, none and resolution was adopted.

RES. #120-05 to rescind Res. #100-04.

Councilman Rippel offered Res. #120 and moved its adoption that WHEREAS, the Chatham Town Board rescinds Res. #100-04 to take over a private road known as Pebble Lane as a town road, and

WHEREAS, the resolution should read

WHEREAS, the Town Board of the Town Chatham has heretofore sought to take over private roads known as Pebble Lane, Stoney Knoll and Stoney Lane as Town Roads, and

WHEREAS, Town of Chatham has been notified that the taxes for such roads, as a separate taxable parcel have been unpaid and the County of Columbia is preparing to commence foreclosure proceedings regarding such roadway parcel, and

WHEREAS, the Town Board believes that it is in the best interest of the residents of the Town of Chatham for such roadways to become town roads.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chatham hereby requests that the County Board of Supervisors resolve to convey such private roadway parcels known as Pebble Lane, Stoney Knoll and Stoney Lane to the Town of Chatham following the contemplated tax foreclosure upon such parcel.

Councilman Rohde seconded the motion.

Vote; ayes, all present

Nays, none and resolution was adopted.

RES. #121-05 to make amendments to budget appropriations.

Councilman Meyn offered Res. #121 and moved its adoption to make the following amendments to budget appropriations:

FROM	TO	AMOUNT
A9060.8	A1420.4	\$4,000.00
A9060.8	A1410.1	\$4,000.00
A3010.2	A7140.4	\$3,000.00
B1990.4	B9010.8	\$2,200.00
DA9060.8	DA9010.8	\$3,583.00
DB9060.8	DB5142.4	\$6,000.00
DB5142.1	DB5142.4	\$20,000.00
DB5130.2	DB5130.4	\$5,000.00

Councilman Jablonka seconded the motion.

Vote; ayes, all present

Nays, none and resolution was adopted.

RES. #122-05 to increase appropriations for state retirement.

Councilman Rohde offered Res. #122 and moved its adoption that, WHEREAS, the Town of Chatham did not include a NYS Retirement Insurance annual payment in the 2005 budget due to a 2004 opinion by the State Comptroller Office. Based on this opinion the Town did not believe we had to make a payment until February 2006. Subsequently, it was changed to read that in order to be in compliance with the modified accrual method of account we would not be required to make a payment in 2005 but the expense still had to be recognized in 2005.

NOW THEREFORE, IT IS HEREBY

RESOLVED that the Town Board hereby authorizes the Supervisor to increase appropriations for State Retirement as follows: A9010.8 (\$20,633.00) and DB9010.8 (\$23,980.00).

Councilman Meyn seconded the motion.

Vote; ayes, all present

Nays, none and resolution was adopted.

RES. #123-05 to increase General Repairs.

Councilman Rippel offered Res. #123 and moved its adoption that

WHEREAS, The Town of Chatham year-to-date funding from Sales Tax receipts has exceeded budget by \$25,000.00 with still the fourth quarter's or approximately \$100,000.00 worth of sales tax yet to be collected, and the State Emergency Management Office and Federal Emergency Management Agency have vouchers to be paid for the year 2005 covering repair to the Town roads damaged in the spring flooding emergency, and

WHEREAS, the Town Board desires to increase the appropriations of the budget in the General Repair CE (DB5110.4) to reflect the above.

NOW, THEREFORE, IT IS HEREBY

RESOLVED that the Town Board hereby authorizes the Supervisor to increase the General Repair CE(DB5110.4) in the amount of \$50,000.00 to cover the funds actually expended to make the repairs for the damage incurred during the spring flooding emergency and which have not yet been be repaid by SEMO/FEMA funds.

Councilman Jablonka seconded the motion.

Vote; ayes, all present

Nays, none and resolution was adopted.

Supervisor DeGrootd told Councilman Jablonka and Councilman Meyn that he appreciated having them serve on the Town Board with him. He also thanked Dorothy Mesick for her many years of service to the town as Assessor.

Motion was made by Supervisor DeGrootd, seconded by Councilman Rippel and carried to go into executive session at 7:40 pm to discuss a personnel issue. Motion was made by Councilman Jablonka, seconded by Councilman Rohde and carried to come out of executive session at 8:25 pm.

Motion was made by Councilman Jablonka, seconded by Councilman Rohde and carried to adjourn at 8:30 pm.

Respectfully submitted by,

Carol Gregg RMC
Town Clerk