

TOWN OF CHATHAM TOWN BOARD MEETING

November 16, 2006

The regular meeting of the Town of Chatham, Town Board was held on Thursday, November 16, 2006 at 7:00 pm at the town hall with a special public hearing regarding livestock in town hamlets opening at 6:00 pm. Present were: Supervisor Jesse DeGroot, Councilman BethAnn Rippel, Councilman Don Hegeman, Deputy Town Clerk Elizabeth Horst, Town Attorney Tal Rappleyea, Town Assessor Daniel Horst, and others. Councilman Jean Rohde and Councilman Bob Balcom were absent.

Supervisor DeGroot opened the public hearing at 6:00 pm and Councilman Hegeman led the pledge to the flag.

PUBLIC HEARING at 6:00PM

The Public Hearing for the issue of livestock in town hamlets was opened at 6:00 pm. Supervisor DeGroot informed the board that there were several letters, both for and against owning livestock in hamlets, all which are on file.

Jim McKay – McKay owns chickens for his daughter to care for and supports raising animals in hamlets, especially for the benefits of friendship, learning experiences, eggs, and manure, though he understands neighbors' concern on proper disposal of waste. He believes it is important for the Town Board to discuss the questions raised and not to "recite dry ordinances."

Tony Ooms, Valatie – Ooms is for animals in hamlets, whether the pet is a pot-bellied pig, German Shepherd dog, chickens in coop, or rabbits on a porch. He raised the question, "Who's to decide what is a pet?" and stated that the chickens were causing no harm.

Fran Sindlinger, Kinderhook Lake – Sindlinger is against animals in hamlets because of lack of waste management and harmful effect on migratory birds. She raised the issue of what species of animals should be allowed in crowded areas, believes that the Comprehensive Planning Board should set limits for agricultural vicinities, and especially does not support animals within confines of a hamlet.

(Unidentified Female), Kinderhook Lake – She believes that animals in hamlets caused problems such as the change from "a fun place for old timers" to a busy area with a fast paced market.

Kary Jablonka, a member of Zoning Board – Jablonka stated that he voted against the chicken law and is representing the animals that the town is losing. He believes that this issue is not about a particular town or certain animals allowed or prohibited in a hamlet but about preserving the historically agricultural character and supporting stewardship of the land. He encouraged the Town Board to think seriously about what important things the town is losing and under what conditions—not how many or where—animals should be allowed.

Lynn Skordilas, Kinderhook Lake – Skordilas believes that bringing in animals creates a problem when properties are "literally on top of each other." She stated that when people are allowed to bring in animals to preserve a town's rural character, the democratic framework is ruined since people opposing animals in hamlets have no say.

Pam Smith, Chatham Center – Smith stated that she supports animals and loves the rural character of the town. She believes that laws prohibiting animals in hamlets are discriminatory toward people who wish to raise pets.

Bill Millington, Chatham Center – Millington stated that he didn't understand what the fuss over animals was about. After he grew up in the city, he moved his family to the country to teach them about natural life. He is very favorable toward children learning about and having experiences of raising livestock, such as through 4-H.

Jan Storm, Chatham Center – Storm wondered what the laws exactly were and how to find out. She stated that there was a difference in owning animals in thickly settled areas versus raising them in sparsely populated areas. She said she can't think of a better tool of teaching responsibility to children than to give them the job of raising and caring for animals.

Dr. Mark – Mark was surprised at the issue but showed his support for animals in hamlets. His daughter raised chickens in a garage when they resided in Old Chatham and heard no complaints from the neighbors. He thought it was terrible that allowing animals was not considered in some areas and believed it was a case of stepping on people's rights. He stated that the issue over Asian flu was exaggerated and facts show that diseases can only infect people directly in contact with their chickens over a long period of time.

Marcy Gardener – Gardener acquired some facts from the Center of Disease Control's website. She stated that there is no risk of people getting avian flue from domesticated animals.

Randi Walker – Walker said she contacted the Department of Health Veterinarian Dr. Brian Cherry regarding residents concerned about the transmission of disease from domestic animals to owners and their neighbors. She quoted them saying that there was no evidence of an increase in rabies, Asian flu, or any other disease from birds to humans. She stated that the town is clearly a

rural area, gardening and raising animals have always been a part of the community, and that there should be some way to get a solution many people will agree with.

Ron Gentlehawk – Gentlehawk defended chickens, especially since his household always owned animals. He believes children who have responsibilities with animals are better students, city children always enjoy vacations to the country and visiting animals in a controlled environment, and that the bottom line is *common sense*. He raised the question that if the town eliminates animals, what will be next? Children?

Judy Gunberg – Gunberg believes that after 40 years of making mistakes, the Comprehensive Plan sees the negative effects it made on the community; yet, if it does not change things now, the area will become very suburban. She said there is a need to raise food locally to keep a rural vision, issues need to be addressed in a case-by-case way, and overall, the less regulations on the community, the better.

Fran Sindlinger – Sindlinger stated that she had no problem with animals unless they are on the neighbors' properties. She believes there needs to be a remedy for problems like the frustrating leash law, quality of life for people and animals in crowded areas, and farms in hamlets. She stated that if she approaches the towns when faced with a problem, she should be helped.

Dan Horst – Horst raises animals—chickens, goats, rabbits, dogs, etc.—and 9 children, but also has good fences. However, he stated that his neighbor does not have fences and his pigs have wrecked the neighbors' yards—and his yard—many times. He raised the question, what will happen next? Going on to explain, Horst said there is a possibility of a car accident, protective sows attacking people, more yard destruction, or even law suits. He stated that the town needs to have laws with teeth. He believes that owning animals is certainly not a problem, but neighbors have to discuss arguments amongst themselves and go to the town if they cannot solve the issue.

Tony Ooms – Ooms believes that children working with animals produces great benefits and that this is something that the town should not take away.

Terry Buck – Buck fought with the Village of Chatham over her goats and chickens. She believes that all animals are equal and it is a human right to provide for oneself.

Jim McKay – McKay stated that his 4 chickens did not cause any problems but if anyone has complaints, the town should allow “x number of feet per so many animals” for the health, comfort, and safety of a family, their animals, and their surrounding neighbors. He strongly believes in upholding a safe rural area.

Jim Temple – Temple lived in Chatham for 60 years and grew up in a North Chatham hamlet. He owned many animals in the past—raised 200 chickens in a barn with no complaints, owned 2 ducks and ended a problem with a neighbor by building a pen, and had a dog at Kinderhook Lake but did his best to keep it quiet. He does not believe that rules are beneficial but that the town needs to strike a provision that allows animals in all areas.

(Unidentified male) – He believed that if the town considers this—not as an agricultural issue, but in a case by case manner—animals can be allowed through a common sense approach.

Fran Sindlinger – Sindlinger asked if the town can schedule another hearing later in the day as 6:00 pm too early for her.

Supervisor DeGrootd stated that the hearing would have to come to a close as nearing the time for the regular Town Board meeting, but will have more discussion later and perhaps announce a decision in December. The hearing was tabled at 7:00 pm.

The Town of Chatham Town Board Meeting was resumed at 7:15 pm.

CORRESPONDENCE

North Chatham Historical Society, re: Post Office update.

National Grid, re: policy for attachments to poles.

Empire State Development, re: Restore NY Community Initiative

Kinderhook Lake Corp., re: 2007 copper sulfate applications.

Communities Connecting, re: resolution of support.

Eight letters from the public, re: for or against livestock in the hamlets; on file.

PUBLIC COMMENT

Eric Ooms re: livestock issue, stated that he is “all for a chicken in every pot.”

REPORTS

Highway – Construction of entrance way to Town Hall gravel mine is near completion. Copy of Highway Road Inventory forwarded to Supervisor and is on file. Highway is involved in maintenance including winter preparation (constructing snow fences and truck winterization is complete), mowing town roads, and patching holes. (Report is on file.)

Comprehensive Plan Committee – Randi would have something from mid or late winter through early spring.

NEW BUSINESS

Board of Assessment Review Vacancy – Steve Anderson agreed to remain for 5 more years.

Chatham Rescue Squad, re: 2007 funding for 3% increase

RES. #124-06 to allow a 3% increase of funding for the Chatham Rescue Squad

Councilman Hegeman offered Res. #124 and moved its adoption to allow a 3% increase of funding for the Chatham Rescue Squad.

Councilman Ripple seconded the motion.

Vote: Ayes, all present

Nays, none

Resolution was adopted.

OLD BUSINESS

Communities Connecting

RES. #125-06 to support the “Communities Connecting”

Supervisor DeGroot offered Res. #125 to support the Communities Connecting resolution to bring broadband technology to the Town of Chatham.

Whereas, in the near future, a large part of our economy will be driven by the public’s ability to have access to state-of-the-art broadband technology, and

Whereas, this holds true for rural communities as well as urban centers of commerce and industry, and

Whereas, broadband technology enhances the Town of Chatham’s existing agricultural and cottage industries, encouraging clean technology-based industry while preserving the rural character and scenic viewsheds,

Whereas, the residents of the Town of Chatham are forced to rely upon inconsistent broadband service, or, even worse, no broadband connection at all in many places, and

Whereas, the Town Board of the Town of Chatham finds this situation unacceptable,

Now Therefore It Is Resolved, that the Town Board of the Town of Chatham supports the efforts of “Communities Connecting” to bring this essential communication tool to the Town of Chatham and Columbia County.

Councilman Ripple seconded the motion.

Vote: Ayes, all present

Nays, none

Resolution was adopted.

RESOLUTIONS

RES. #126-06 to pay annual payroll early

Councilman Hegeman offered Res. #126 to pay the annual payroll early.

Councilman Rippel seconded the motion.

Vote: Ayes, all present

Nays, none

Resolution was adopted.

RES. #127-06 to pay insurance buy-out early

Councilman Rippel offered Res. #127 to pay insurance for buy-out early.

Councilman Hegeman seconded the motion.

Vote: Ayes, all present

Nays, none

Resolution was adopted.

RES. #128-06 to reappoint Steve Anderson to the Board of Assessment Review

Supervisor DeGroot offered Res. #128 to reappoint Steve Anderson to the Board of Assessment Review for a term beginning October 1, 2006, and expiring September 30, 2011.

Councilman Ripple seconded the motion.

Vote: Ayes, all present

Nays, none

Resolution was adopted.

RES. #129-06 to approve the minutes of several town board meetings

Councilman Hegeman offered Res. #129 to approve the minutes of the October 19, 2006, special town board meeting; the October 19, 2006, regular town board meeting; and the November 1, 2006, special board meeting.

Councilman Rippel seconded the motion.

Vote: Ayes, all present

Nays, none
Resolution was adopted.

PUBLIC COMMENT

Jim Temple, re: Communities Connecting. Temple asked, What exactly is the resolution for? Supervisor DeGroot explained that it was inviting a business to set up a broadband system in the Town of Chatham. Temple: Are there some provisions for businesses already? Town Board: Yes. Temple suggested that while there would be a great cost to bring broadband to the middle of nowhere, if the town did get a grant, could install cable on rural roads and use that to generate revenue.

Eric Ooms, wondered how far technologically the US is from broadband for rural areas or satellite. Temple suggested 20 years, and then suggested not too long since Japan already has cell phone service connected to satellites.

Motion was made by Councilman Rippel, seconded by Councilman Hegeman, and carried to adjourn at 7:25 pm.

Respectfully submitted by,

Elizabeth Horst
Deputy Town Clerk