

**CHATHAM TOWN BOARD MEETING  
18 OCTOBER 2007 ~ 07:00 PM**

The regular meeting of the Town Board was held on 18 October 2007 at 7:00 PM at the Town Hall on Route 295 in the Town of Chatham.

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| <b>Present:</b> Jesse DeGroot, Supervisor<br>Bob Balcom, Councilman<br>Don Hegeman, Councilman<br>Jean Rohde, Councilwoman<br>Beth Ann Rippel, Councilwoman | <b>Others:</b> Shari Franks, Recreation Director<br>Tal Rappleyea, Attorney<br>Dan Horst, Assessor<br>Earle Kelsey, Comptroller |
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**Call to Order:** Supervisor DeGroot opened the meeting at 7:00 PM.

**Pledge to the Flag:** Councilman Hegeman led the pledge to the flag.

**Public Hearing on Setback Requirements for Agricultural Buildings in Hamlet Zones:**

**Supervisor DeGroot** opened the Public Hearing at 7:00PM, explaining that there were two proposed local laws—one for a setback of 25 feet and one for a setback of 45 feet.

**Jim McKay** stated he would encourage the lesser setback because of lot sizes in the hamlets. Agriculture in hamlet zones is important and people need more freedom to use their property. McKay added that considering the husbandry practices of owners is more important than the specific setback distance. If owners care for their animals properly, that is fine and there should be no concern regarding setback; additionally, other provisions in the Town Code address individuals who do not adhere to normal practices on their properties.

**Supervisor DeGroot** closed the Public Hearing at 7:05PM since there were no more comments. He added that there were two letters on this issue; one from Fran Sindlinger and the other from Richard and Marilyn Schrage.

**Correspondence:**

1. Chatham Rescue Squad, re: 2008 funding.
2. Cynthia and Bob Richardson, re: hamlet designation in the Comprehensive Plan.
3. Kinderhook Lake Corporation's October 2007 Newsletter.
4. Richard and Marilyn Schrage, re: setback requirements for agricultural buildings in hamlet zones.
5. Fran Sindlinger, re: setback requirements for agricultural buildings in hamlet zones.

**Public Comment:**

**Jim Temple** stated that at last month's Public Hearing, he requested to have the comments from the members of the Zoning Board of Appeals and Planning Board on the Comprehensive Plan available to the public. After a short discussion with the Board and the clerk, **Supervisor DeGroot** stated that at some point, the Board would need to make a decision on when the minutes would be made public—after they are drafted or only after they have been approved. **Temple** stated that he looked forward to that decision since, in his opinion, he would understand the Comprehensive Plan better if he had everyone's comments and not merely spout off things that have already been said before.

**Stan Koloski** explained a situation where he requested the County Board to allow firetrucks to cross the bridge on High Bridge Road since the White Mills Road bridge will be closed and the emergency crew will be forced to take a 7-mile detour to help people in need. He stated that while the bridge has a 10-ton limit, it is built to support 20-tons in the case that two 10-ton trucks cross at the same time. Koloski asked if the Town Board could use their powers to get a response from the county to allow the 20-ton firetrucks to cross that bridge. **Supervisor DeGroot** asked if he could get an answer out of the conversation with CSX to which **Joe Rickert** replied that he received an answer from the county and it was supposed to be sent to the Fire Department as well. There was some more discussion on this issue and the Board acquiesced to contact the county regarding the firetrucks crossing the bridge on High Bridge Road.

**Reports:**

1. Highway (On file.)
2. Code Enforcement/Zoning Enforcement (Building Department report is on file.)
3. Justice Court (On file)
4. Supervisor (County Business): **Supervisor DeGroot** stated that there were several discussions on allowing illegal aliens to have drivers' licenses but no action as of yet.
5. Recreation Department (On file)

**New Business:**

1. Tri-Village Fire Company: 2008-2010 Contract.

**Albert Ross** and **Stanley Koloski** presented the 2008-2010 Tri-Village Fire Company Contract in the total amount of \$120,000 annually. The Board determined to address this in full during the Public Hearing for the Town Budget and make a decision on it at that time.

2. Chatham Rescue Squad: 2008 Funding.

The Board received a letter from the Chatham Rescue Squad regarding 2008 ambulance service funding in the amount of \$100,000.00. They determined to add this proposal to the budget and make a decision on it at the Public Hearing for the Town Budget.

3. Barton & Loguidice: Master Services Agreement.

**Supervisor DeGrootd** stated that a master services agreement was never signed between the Town Board and Barton & Loguidice, so he asked for the permission to do that.

**Resolution #137-07 to authorize the Supervisor to sign the Master Services Agreement between Barton & Loguidice and the Town Board of Chatham.**

Offered by Councilwoman Rohde, moved adoption to authorize the Supervisor to sign the Master Services Agreement between Barton & Loguidice and the Town Board of Chatham.

Councilwoman Rippel seconded the motion.

**Vote:** Ayes, Supervisor DeGrootd, Councilwoman Rippel, Councilman Balcom, Councilman Hegeman, and Councilwoman Rohde. Nays, None.

The resolution was adopted.

4. 2008 Town Budget.

The Board discussed a time to hold a Public Hearing on the 2008 Town Budget and set it for 6:00PM on the 1<sup>st</sup> of November 2007.

5. 2008 Dog Control Contract.

**Resolution #138-07 to accept the Columbia-Green Humane Society Contract for 2008.**

Offered by Councilwoman Rippel, moved adoption to accept the 2008 Agreement between the Columbia-Green Humane Society/SPCA and the Town of Chatham.

Councilwoman Rohde seconded the motion.

**Vote:** Ayes, Supervisor DeGrootd, Councilwoman Rippel, Councilman Balcom, Councilman Hegeman, and Councilwoman Rohde. Nays, None.

The resolution was adopted.

6. Community Agricultural Partnership Grant Application.

The Board received an email of request from **Mary Gail Beibel** regarding the Community Agricultural Partnership and an application for a state grant in the total amount of \$33,333.00 with \$25,000.00 awarded by the state and \$1,667.00 paid by the Town.

**Resolution #139-07 to adopt Municipal Agricultural & Farmland Protection Plan Development grant.**

Offered by Councilman Hegeman, moved adoption as follows:

*Whereas, the Town Board of the Town of Chatham finds it desirable to take steps necessary to protect agricultural land within the Town, and*

*Whereas, the Town Board of the Town of Chatham wishes to avail itself of funding available under the NYS Ag & Markets grant for "Municipal Agricultural and Farmland Protection Plan Development,"*

*Now Therefore It Is Resolved, that the Town Board of the Town of Chatham will match 25% of the grant request, for a total of \$8833, with \$1,667 provided in cash.*

Councilman Balcom seconded the motion.

**Vote:** Ayes, Supervisor DeGrootd, Councilwoman Rippel, Councilman Balcom, Councilman Hegeman, and Councilwoman Rohde. Nays, None.

The resolution was adopted.

7. Code Enforcement Officer Request for Court Action on Davis Property.

**Supervisor DeGrootd** stated that he received an email from Code Enforcement Officer Walter Simonsmeier regarding violations on the Davis Property on Ashley Hill Road.

**Resolution #140-07 to authorize the proceedings of court action against the Davis Property.**

Offered by Councilman Balcom, moved adoption to authorize the Code Enforcement Office and Town Attorney to proceed with court action against the Davis Property on Ashley Hill Road due to repeated violations.

Councilwoman Rippel seconded the motion.

**Vote:** Ayes, Supervisor DeGrootd, Councilwoman Rippel, Councilman Balcom, Councilman Hegeman, and Councilwoman Rohde. Nays, None.

The resolution was adopted.

## 8. Setback in Hamlet Zones

The Board discussed if it would be better to have setbacks of 25-foot or of 45-foot and then decided to pass the amendment for the Town Code.

### **Resolution #141-07 to adopt Local Law Number 7 of 2007.**

Offered by Councilwoman Rohde, moved adoption to accept Local Law Number 7 of 2007 for Establishing a Minimum Setback for Farm Buildings in the Hamlet Zones as follows:

#### **Section 1. Minimum Setbacks for Farm Buildings in the Hamlet Zones.**

*Section 180-38 (A) of the Town Code of the Town of Chatham is hereby amended by adding the following at the end of the paragraph:*

*However, in both the Hamlet-1 (H-1) and Hamlet-2 (H-2) zones, respectively, such farm buildings may be erected within 45 feet of a neighboring property.*

#### **Section 2. Authority and Effective Date.**

*This Local Law is hereby adopted pursuant to the provisions of Municipal Home Rule Law and shall take effect immediately upon filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.*

Councilwoman Ripple seconded the motion.

**Vote:** Ayes, Supervisor DeGroot, Councilwoman Rippel, Councilman Balcom, Councilman Hegeman, and Councilwoman Rohde. Nays, None.

The resolution was adopted.

### **Old Business:**

#### 1. Comprehensive Plan

The Board discussed the request for \$15,000.00 for the work done on the Comprehensive Plan. They decided to bring up this issue later on for finalization at the Town Budget Public Hearing.

#### 2. County Environmental Management Council

The Board discussed the report from **Randi Walker** on her visit to the county meeting and her agreement to be officially appointed.

### **Resolution #142-07 to accept the resignation of David Everett from the County Environmental Management Council and to appoint Randi Walker to the same.**

Offered by Supervisor DeGroot, moved adoption to accept the resignation of David Everett from the County Environmental Management Council and to appoint Randi Walker as the new Town representative.

Councilwoman Rohde seconded the motion.

**Vote:** Ayes, Supervisor DeGroot, Councilwoman Rippel, Councilman Balcom, Councilman Hegeman, and Councilwoman Rohde. Nays, None.

The resolution was adopted.

### **Resolution #143-07 to approve the Town Clerk's minutes.**

Offered by Councilwoman Rohde, moved adoption to approve the minutes of the 20 September regular Town Board meeting and the 6 September, 4 October, and 12 October special Town Board meetings.

Councilman Balcom seconded the motion.

**Vote:** Ayes, Supervisor DeGroot, Councilwoman Rippel, Councilman Balcom, Councilman Hegeman, and Councilwoman Rohde. Nays, None.

The resolution was adopted.

### **Resolution #144-07 to adopt the Town Comptroller's report.**

Offered by Councilwoman Rohde, moved adoption to approve the Town Comptroller's report as follows:

*Whereas, The Chatham Town Board authorizes the Town Comptroller to make the following Amendments to Budget Appropriations:*

| <b><i>From</i></b> | <b><i>To</i></b>          | <b><i>Amount</i></b>    |
|--------------------|---------------------------|-------------------------|
| <i>A1990.4</i>     | <i>A1420.4</i>            | <i>10,000.00</i>        |
| <i>A1990.4</i>     | <i>A1670.4</i>            | <i>3,000.00</i>         |
| <i>B1990.4</i>     | <i>B7310.1</i>            | <i>3,000.00</i>         |
| <i>DB5130.4</i>    | <i>DB5130.2</i>           | <i>1,001.00</i>         |
|                    | <b><i>Total Funds</i></b> | <b><i>17,001.00</i></b> |

Councilman Balcom seconded the motion.

**Vote:** Ayes, Supervisor DeGroot, Councilwoman Rippel, Councilman Balcom, Councilman Hegeman, and Councilwoman Rohde. Nays, None.

The resolution was adopted.

**Resolution #145-07 to approve the Town Comptroller's report.**

Offered by Councilwoman Rippel, moved adoption to approve the Town Comptroller's report.

Councilman Balcom seconded the motion.

**Vote:** *Ayes*, Supervisor DeGroot, Councilwoman Rippel, Councilman Balcom, Councilman Hegeman, and Councilwoman Rohde. *Nays*, None.

The resolution was adopted.

**Public Comment:**

**Jim Temple** stated the following regarding the Comprehensive Plan: The Comprehensive Plan has been shaped by a very small group of people. The Acknowledgements Section of the plan lists 86 different people as having participated on the various committees, and that is 2.7% of the town's adult population (population of 4249 where 74.7% are adults). I observed that within this group of 86 was a much smaller group (10 to 20) who did most of the heavy lifting and pushed for most of the plans facets. Some town residents provided input to the plan by attending the Town Conversations (60 attended in 2005) and some returned the questionnaire which was sent to them (645 were returned), and at best, this represents 20% to 40% of the towns adult population. Another way of saying all this is that 97% of the adults in the town did not work on the development of the plan and 60% to 80% of the adults provided no input. These statistics scream that most of our neighbors are disconnected from the plan and its development up to this point in time. These statistics along with the fact that the plan fails to address costs, cause me to believe that the plan is flawed. I do not believe that you (the Town Board) are going to be able to correct the flaw by just removing some of the more malodorous parts of the plan. I believe that the only way to correct this situation is by doing something that engages 30% to 40% of our disconnected neighbors. You can't expect that our disconnected neighbors will be able to read or understand this very confusing document. You are going to have to do something extraordinary.

**Motion to Close Meeting:** Councilman Balcom made a motion, Councilwoman Rohde seconded, and it carried to adjourn the 18 October 2007 Town of Chatham regular Town Board meeting at 8:00 PM.

Respectfully submitted by,

Elizabeth Horst  
Deputy Town Clerk