

**TOWN OF CHATHAM  
SPECIAL TOWN BOARD MEETING**

**MAY 31, 2007**

A special Town Board meeting of the Town of Chatham was held at 8:00 am on May 31, 2007, at the Town Hall. Present were Supervisor Jesse DeGroot, Councilwoman Beth Ann Rippel, Councilwoman Jean Rohde, Highway Superintendent Joseph Rickert, and Deputy Town Clerk Elizabeth Horst.

Supervisor DeGroot opened the meeting at 8:00 am and led the pledge to the flag.

A bid for materials for Crellin Park from C & R Contracting was read and accepted by the Town Board.

**Resolution #98-07 To accept a bid from C & R Contracting for Crellin Park materials.**

Offered by Councilwoman Rohde, moved adoption to accept as follows:

*Whereas, the Town Board of the Town of Chatham accepts the sole bid for Beach Sand, ¼" Pea Stone, and Brown Mulch from C & R Contracting, 1333 Rte 203, Chatham, NY, for delivery to Crellin Park during the period of June 1, 2007, through May 31, 2008, for the following prices:*

*Beach Sand: \$85.00/load (4-ton load)*

*¼" Pea Stone: \$85.00/load (4-ton load)*

*Brown Mulch: \$90.00/load (3-yd load)*

Councilwoman Rippel seconded the motion.

Vote: Ayes, all present

Nays, none

The resolution was adopted.

The Town Board and Highway Superintendent Joseph Rickert discussed the prospect of constructing a bridge on White Mills Road over the CSX Railroad on state funding. Supervisor DeGroot explained that the plan of action was to borrow from the National Bank of Kinderhook to pay for the immediate costs and be reimbursed by the state over a period of time.

**Resolution #98-07 To authorize the proceedings with federal aid and the NYS "Marchiselli" program-aid eligible costs for a project on White Mills Road over the CSX Railroad.**

Offered by Councilwoman Rohde, moved adoption to accept as follows:

*Authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.*

*Whereas, a Project for White Mills Road over CSX Railroad (BIN 2222160) in the Town of Chatham, Columbia County, PIN 8759.38 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be*

borne at the ratio of 80% Federal funds and 20% non-federal funds; and

**Whereas**, the Town of Chatham desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right-of-way incidental work.

**Now, Therefore**, the Chatham Town Board, duly convened does hereby

**Resolve**, that the Chatham Town Board hereby approves the above-subject project; and it is hereby further

**Resolved**, that the Chatham Town Board hereby authorizes the Town of Chatham to pay in the first instance 100% of the federal and non-federal share of the cost of preliminary engineering and right-of-way incidental work for the Project or portions thereof; and it is further

**Resolved**, that the sum of \$225,000.00 is hereby appropriated from capital funds and/or long-term finances and made available to cover the cost of participation in the above phase of the Project; and it is further

**Resolved**, that in the event the full federal and non-federal share costs of the project exceeds the among appropriated above, the Chatham Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Town Supervisor thereof, and it is further

**Resolved**, that the Supervisor of the Town of Chatham be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the Town of Chatham with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

**Resolved**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

**Resolved**, this Resolution shall take effect immediately.

Councilwoman Rippel seconded the motion.

Vote: Ayes, all present

Nays, none

The resolution was adopted.

The Town Board discussed the request sent to Senator Saland regarding the home rule for transfer tax. Supervisor DeGroot received correspondence and paperwork from the Senator to enact legislation and discussed the ramifications of such with the rest of the Board.

Councilwoman Rippel raised the question if citizens could use the legislation to force the Town of Chatham to buy open land, though not necessarily for agricultural or historical use. Councilwoman Rohde explained that a committee in charge of buying land would present cases to the Town Board for decision-making and finalization.

Supervisor DeGroot stated that while he believed it was foolish for farmers to sell their property development rights, it is their right after all and this issue should ultimately be decided by voters. Councilwoman Rohde added that the crux of the matter is to preserve open space from

being developed for agricultural use. The Board agreed and said that though it was beginning to be complicated because of the county, they wished for the issue to go to the voters.

**Resolution #99-07 To authorize the request of legislation to enact Bill S4692 and submit it accordingly.**

Offered by Councilwoman Rohde, moved adoption to authorize the request of legislation to enact Senate Bill 4692; and to authorize the Chief Executive Officer to submit the legislation accordingly.

Councilwoman Rippel seconded the motion.

Vote: Ayes, all present

Nays, none

The resolution was adopted.

Motion was made by Supervisor DeGroot, seconded by Councilman Rippel, and carried to adjourn at 8:45 pm.

Respectfully submitted by,

Elizabeth Horst  
Deputy Town Clerk