

**Town of Ancram
Town Board
Special Meeting
July 2, 2010**

Present:	Supervisor Arthur Bassin	Councilman James Miller
	Councilman Chris Thomas	Town Clerk Monica Cleveland
Absent:	Councilman John MacArthur	Councilwoman Madeline Israel

The Special Board meeting was called to order at 6:00pm by Supervisor Bassin with a salute to the flag.

Mr. Bassin explained the agenda to the meeting and that the board would be filling the SECRA form and the Negative Declaration for the Garage Site project. The Board will also be passing a resolution to allow the Town Board to set a Special Election for a bond referendum for the Garage Project.

Mr. Bassin, Councilman Miller and Councilman Thomas proceeded to read through the SECRA forms and adjust it where needed.

A motion was made by Councilman Miller and seconded by Councilman Thomas to assign the Town to be the Lad Agency on the SECRA process. Motion carried.

A motion was made by Councilman Thomas and seconded by Councilman Miller to adopt the negative declaration. Motion carried.

Mr. Bassin stated that the following Resolution was drafted for the town by the town attorney. This will allow the town to borrow up to but not in excess of \$400,000.00 for the Highway Garage project.

The Following Resolution was offered for adoption by Councilman Miller and seconded by Councilman Thomas:

Resolution #51 of 2010: Bond Resolution:

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A NEW HIGHWAY GARAGE IN THE TOWN OF ANCRAM, COLUMBIA COUNTY, NEW YORK, AT AN ESTIMATED MAXIMUM PROJECT COST OF \$500,000; AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF ANCRAM, COLUMBIA COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$400,000 PURSUANT TO THE LOCAL FINANCE LAW; AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE TOWN SUPERVISOR

BE IT RESOLVED, by the Town Board of the Town of Ancram, Columbia County, New York (the "Town") (by the favorable vote of not less than three-fifths of all of the members of the Town Board) as follows:

SECTION 1. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of an approximately 4,000 square foot addition to and renovation of the existing

highway garage located at 32 Maple Lane, Ancramdale in the Town, including related site work, office space and original furnishings and equipment required for such purpose. The estimated maximum cost of said purpose is \$500,000 and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 12 (a)(3) of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is ten (10) years.

SECTION 2. It is hereby determined that the aforesaid purposes constitute an unlisted action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which is determined under SEQRA not to have a significant impact on the environment.

SECTION 3. The proposed maturity of the serial bonds authorized hereby is in excess of five years.

SECTION 4. The Town Board plans to finance the total cost of said purpose by the issuance of serial bonds of the Town in an amount not to exceed \$400,000, hereby authorized to be issued therefor pursuant to the Local Finance Law; and the remaining \$100,000 is to be funded from other available funds.

SECTION 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 6. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations.

SECTION 7. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on said bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 8. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes and the power to prescribe the terms, form and contents of said serial bonds and said bond anticipation notes (including without limitation the date, denominations, maturities, interest payment dates, consolidation with other issues, and redemption rights), the power to determine to issue said bonds providing for substantially level or declining debt service, and the power to sell and deliver said serial bonds (including statutory installment bonds), and any bond anticipation notes issued in anticipation of the issuance of such bonds, is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Town Clerk is hereby authorized to affix the corporate seal of the Town to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 9. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes

issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof as "qualified tax-exempt bonds" for purposes of Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) Such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(2) The provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with;

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 11. When this resolution shall have become effective, the Town Clerk shall cause this resolution, or a summary of the same, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, to be published in the Register Star and the Columbia Paper, newspapers having a general circulation in the Town and hereby designated as the official newspapers of the Town for such publication.

SECTION 12. This resolution shall, before becoming effective, be approved at a special election of the qualified voters of the Town to be held at a general or special election called for that purpose.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

BOND RESOLUTION DATED July 2, 2010

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A NEW HIGHWAY GARAGE IN THE TOWN OF ANCRAM, COLUMBIA COUNTY, NEW YORK, AT AN ESTIMATED MAXIMUM PROJECT COST OF \$500,000; AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF ANCRAM, COLUMBIA COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$400,000 PURSUANT TO THE LOCAL FINANCE LAW; AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE TOWN SUPERVISOR

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Town Board was present throughout said meeting, and a legally sufficient number of members (three-fifths of the Town Board) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ___ day of July, 2010.

Art Bassin	VOTING Aye
Jim Miller	VOTING Aye
John A. MacArthur	VOTING ___Absent
Chris Thomas	VOTING Aye
Madeleine Israel	VOTING ___Absent

The foregoing resolution was thereupon declared duly adopted.

Mr. Bassin explained that the second resolution was to allow a Special Election to be held on Saturday August 21, 2010 from 2pm to 9pm. The Special Registration Day, which is part of the process, will be held on August 7, 2010.

The following resolution was offered by Councilman Thomas and seconded by Councilman Miller:

Resolution #52 of 2010: Special Election

A RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF CONSIDERING A PROPOSITION FOR THE APPROVAL OF A BOND RESOLUTION DATED JULY 2, 2010 AUTHORIZING ISSUANCE OF BONDS IN A MAXIMUM PRINCIPAL AMOUNT OF \$400,000 TO FINANCE THE CONSTRUCTION OF A NEW HIGHWAY GARAGE IN THE TOWN OF ANCRAM, COLUMBIA COUNTY, NEW YORK

WHEREAS, the Town Board of the Town of Ancram, Columbia County, New York (the "Town Board") has adopted a bond resolution dated July 2, 2010, authorizing the issuance of bonds in an aggregate principal amount not to exceed \$400,000, for the construction of an approximately 4,000 square foot addition to and renovation of the existing highway garage located at 32 Maple Lane, Ancramdale in the Town of Ancram, Columbia County, New York, including related site work, and original furnishings and equipment required for such purpose, which resolution is subject to approval by the qualified voters of the Town;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ancram as follows:

SECTION 1. The Town hereby authorizes and directs that a special election of the qualified voters of the Town shall be held at the polling place at the Ancram Town Hall in the Town of Ancram, New York, which polling place shall be the polling places for the entire Town of Ancram for such special election on August 21, 2010, between the hours of 2 p.m. and 9:00 p.m. or so much longer as may be necessary to enable voters then present to cast their votes. The Town Clerk is hereby ordered and directed to prepare ballots which shall be in substantially the following form:

Shall the resolution entitled "BOND RESOLUTION DATED JULY 2, 2010

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A NEW HIGHWAY GARAGE IN THE TOWN OF ANCRAM, COLUMBIA COUNTY, NEW YORK, AT AN ESTIMATED MAXIMUM PROJECT COST OF \$500,000; AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF ANCRAM, COLUMBIA COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$400,000 PURSUANT TO THE LOCAL FINANCE LAW; AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE TOWN SUPERVISOR" be approved?

Yes _____

No _____

Those who are qualified to vote on the aforementioned proposition are registered voters of the Town of Ancram who shall have resided in said Town for the period of thirty (30) days next preceding such election.

SECTION 2. The Town Clerk shall cause notice of special election in substantially the form attached as Exhibit "A" be published in the Register Star and the Columbia Paper hereby designated as the official newspapers of the Town for such publication, and to post on the sign board and the website of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, notice that the Town Board will submit the proposition for the approval or disapproval of the resolution as hereinabove referred to, said publication and posting to be at least ten (10) days before such Special Town Election.

SECTION 3. The resident electors of the Town (none of whom are elected officers of the Town Board) set forth at Exhibit B and previously designated for the general election purposes are hereby appointed to constitute the Town Board of Elections for the Special Town election. The Board of Registration shall consist of those Inspectors designated at Exhibit B.

The Election Inspectors shall be compensated in the amount set forth at Exhibit "B" for their services in preparing the registration records and attendance at the special election. The Board of Registration shall be compensated in the amount set forth at Exhibit B for their services in connection with the Special Registration Date. In case any of the members appointed herein are unable or refuse to assume or perform the duties required of them, this Town Board will appoint alternates who are resident electors. If clerical help is deemed necessary, this Town Board will consider the appointment of such clerical persons upon request of the Chair of the Town Board of Elections.

SECTION 4. A Special Registration Date shall be held on August 7, 2010, at the Town Hall located at 1416 County Route 7, Ancram, New York, at which time the Board of Registration shall accept applications for special registration between the hours of 2:00 p.m. and 6:00. Notice of such Special Registration shall be published at least ten (10) days prior to the Registration Date and posted on the sign board and in at least 5 conspicuous places around the Town.

SECTION 5. The Town Clerk is authorized and directed to prepare and make available absentee ballots in the manner required by law, to arrange for delivery and availability of voting machines to the extent necessary, to arrange for availability of machine custodians and to take all other actions necessary to the conduct of the election as

required by law.

SECTION 6. This resolution shall take effect immediately.

EXHIBIT "A"
NOTICE OF SPECIAL ELECTION,
REGISTRATION OF VOTERS AND
AVAILABILITY OF ABSENTEE BALLOTS,
TOWN OF ANCRAM, COLUMBIA COUNTY, NEW YORK

NOTICE IS HEREBY GIVEN, that a Special Election will be held on August 21, 2010, for the Town of Ancram, Columbia County, New York, which will be held at the Ancram Town Hall, Ancram, New York, which polling place shall be the polling place for the entire Town of Ancram for such Special Election at which the polls will be kept open between the hours of 2 p.m. and 9:00 p.m., prevailing time for the purpose of voting on the adoption or rejection of a proposition with respect to Bond Resolution dated July 2, 2010. The polls will be kept open for the purpose of voting during the aforesaid hours and the proposition voted upon will be in substantially the following form, to wit:

Shall the resolution entitled "BOND RESOLUTION DATED JULY 2, 2010

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A NEW HIGHWAY GARAGE IN THE TOWN OF ANCRAM, COLUMBIA COUNTY, NEW YORK, AT AN ESTIMATED MAXIMUM PROJECT COST OF \$400,000; AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF ANCRAM, COLUMBIA COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$400,000 PURSUANT TO THE LOCAL FINANCE LAW; AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE TOWN SUPERVISOR" be approved?

YES __

NO __

NOTICE IS HEREBY FURTHER GIVEN, that persons qualified to vote at the Special Election shall be registered voters of the Town of Ancram, Columbia County, New York who shall have resided in the Town of Ancram for the period of thirty (30) days next preceding such election.

NOTICE IS HEREBY FURTHER GIVEN, that personal registration is required and no voter shall be entitled to vote at said Special Election unless his or her name appears on the Register of said town prepared for such Special Election, or such voter registers as hereinafter provided. The Town Board of Registration shall prepare a Register for said Special Election, which Register shall include all voters registered with the County Board of Elections under the provisions of Article 5 of the Election Law. Any registered voter whose name appears on such register need not register again for such Special Election.

NOTICE IS HEREBY FURTHER GIVEN, that the Town Board of Registration will meet on August 7, 2010, between the hours of 2 p.m. and 6:00 p.m. at the Town Hall located at 1416 County Route 7, Ancram, New York, at which time qualified electors may present themselves personally for registration to have their names added to such

register for such Special Election.

NOTICE IS HEREBY FURTHER GIVEN, that absentee ballots for qualified electors and registered voters whose name appears on the Registration List, may be applied for at the office of the Town Clerk, 1416 County Route 7, Ancram, New York 12502. Applications for absentee ballots must be received at least seven (7) days before such Special Election, if the ballot is to be mailed to the qualified elector or voter, or on the day before such Special Election, if the ballot is to be delivered personally to the qualified elector or voter or his or her agent. A list of persons to whom absentee ballots have been issued will be available for inspection in the Town Clerk's office during each of the five days prior to the date of election, except Sundays.

NOTICE IS HEREBY FURTHER GIVEN, that absentee ballots must be returned to the Town Clerk and received by the Town Clerk no later than 5:00 p.m. prevailing time on the day of the election, August 21, 2010.

BY ORDER OF THE TOWN BOARD

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Art Bassin	VOTING Aye
Jim Miller	VOTING Aye
John A. MacArthur	VOTING ___Absent
Chris Thomas	VOTING Aye
Madeleine Israel	VOTING ___Absent

The foregoing resolution was thereupon declared duly adopted.

Mr. Kermit Hoyt asked why the town board was having meetings on Friday nights and elections on Saturdays. He stated that he works on weekends. Mr. Bassin stated that it is unusual that the board is meeting on Friday but that there was a member who could not make it on Thursday and to have a quorum, the board scheduled the Friday meeting. Mr. Bassin stated that in order to get the most people to vote on the referendum, the board decided to do the Saturday vote, so that the locals and the weekend people could all have the same opportunity. Mr. Hoyt stated that the weekend people could vote absentee. Mr. Bassin stated Mr. Hoyt could vote that way as well if he felt he couldn't make it to the polls.

Mr. Bassin asked the board for an approval of the Architects Contract . He stated that the Architect will only do what is in the scope and feed and that the town can terminate the contract with 7 days notice. A motion was made by Councilman Miller and seconded by Councilman Thomas to allow Mr. Bassin to sign the contract agreement with the Architect and include the 7 days termination clause. Motion carried.

Mrs. Donna Hoyt asked what happens if the referendum gets voted down, in terms of the contract. Mr. Bassin stated that the town has 7 days to terminate.

Mr. Bassin explained that the town started the year with \$700,000.00 in the bank, and after year end finished and the

books closed, the town had a figure of \$650,000.00. So, Mr. Bassin pointed out, in theory, the town has enough money to fund the project. The town board does not want though, the fund balance to drop below \$300,000.00, the amount the town gets each year from State Aide and Mortgage Taxes. Mr. Bassin stated that the board plans on borrowing as little money as possible.

Councilman Miller stated that it is wise for the town to keep this cushion.

Mrs. Hoyt stated that she understood the process to be different. She thought that there had to be a specific number that is being borrowed for the project, to be placed on the ballot. Mr. Bassin stated that the town may not have to use all of the borrowed money. Mrs. Hoyt stated that the town is then voting on a "non number". Mr. Bassin stated that the residents will be voting to allow the town board to borrow not more than \$400,000.00 If the project does not need this amount to be completed, then the town will borrow less.

Mrs. Hoyt questioned the bids and what the town will do if they go over the \$500,000.00 estimate. Mr. Bassin stated that the project will not be completed this year then, if the bids are over the target amount.

Mrs. Jane Shannon asked what drives the referendum. Mr. Bassin stated that would be the borrowing of the money.

Mrs. Hoyt asked if the town was still getting the additional land from Mr. Slott. Mr. Bassin stated that the town is waiting for the survey and the possibility of Mr. Sloans survey for the storm water retention plan. Mr. Bassin stated that there will be many more public meetings with the architect and the engineer.

Mr. Ron Brant, Garage Committee member, stated that he feels the project looks good and that it is moving along. He felt that even the retention plan has its place at the site.

Mrs. Hoyt questioned the Houghtaling property and if the town planned to purchase it. She felt that this project is destroying that property. Mr. Bassin stated that the property has an unattractive price on it and the town is not looking to purchase it at this time.

Mr. Will Lutz stated that he has looked over the plan and feels it makes the best use of the property.

Mr. Bassin stated that there will be a new well and septic as well.

Mr. Bassin stated that through cutbacks, the town could pay the bond payment from savings in both the highway and general accounts.

Mr. Mike Citron asked if the town will be hiring local contractors to do the work. Mr. Bassin stated that there will be a bid packet for the structure which will be given to local contractors and also published in the papers. As for the RFP's for items under \$35,000.00, the town is only required to describe these and give them to three people for bids. Mr. Bassin stated that the project will be carved into small sections of work.

Mrs. Hoyt questioned if there will be a general contractor. Mr. Bassin stated that the company or person putting up the initial structure will act as the general contractor.

Mr. Bassin stated that a Bond company will bond those doing the work.

Mr. Bassin declared the meeting closed at 7:05 pm.

Respectfully Submitted by,

Monica Cleveland
Ancram Town Clerk

