

**Town of Ancram  
Town Board  
Regular Meeting  
April 20, 2017**

**Present:** Supervisor Arthur Bassin                      Councilman Hugh Clark  
                 Councilwoman Madeline Israel              Councilman David Boice  
                 Town Clerk Monica Cleveland  
                 Highway Superintendent James Miller

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The regular town board meeting was called to order at 7:00 pm by Supervisor Bassin with a salute to the flag.

Mr. Bassin announced that there will be a presentation at the on May 1<sup>th</sup> at 6:30pm by the DEC at Ancram Town Hall to discuss the Doodletown Wildlife Preserve.

A motion was made by Councilman Clark and seconded by Councilwoman Israel to adopt the minutes of the previous town board meeting and the public hearing on the Planning Board and Zoning Board alternates law. Motion carried.

**Fire Chief**

Mr. Boice reported that the brush fires of the previous months had slowed. The company will be beginning Fire Fighter 1 training on May 6<sup>th</sup>. Seven Ancram members will be taking part in this course which will continue for many months. The company will take possession of the new truck in May and will have it to drive in the Memorial Day Parade which will be held in Ancram this year. On June 10<sup>th</sup> the Fire House will hold an Open House.

**Supervisors Report**

1. Financial Report – March was another normal month. Cash on hand at month end was \$1,522,000. The attached full year cash projection indicates we will have about \$940,000 in cash on hand at year-end, slightly over the \$927,000 budget for year-end cash. The full year cash projection outlines a few unbudgeted capital spending projects (truck body, side mower) offset by a variety of cost saves, unbudgeted sales and mortgage tax revenue opportunities, possible additional highway revenues from CHIPS and FEMA and the contingent account.
2. Planning/Zoning Alternates law – County Planning Board will review this local law on 4/18, so we may be able to adopt it on 4/20.
3. Colleen Lutz –Colleen recently accepted a full time job with the NYS Natural Heritage Program, and has resigned as Planning Board and ZBA Secretary and as the assistant Building department Secretary and Deputy Court Clerk. She will continue to manage the culvert grant through the installation of the Hall Hill culvert this summer. We have two candidates who are being interviewed by the chairs of the PB and ZBA and the Building Inspector, and we hope to have a recommendation on someone to hire to replace Colleen in these roles by 4/20. The

Court has decided not to replace Colleen as a deputy court clerk for now, and Colleen has volunteered to assist the Court on DA nights. I am hoping Colleen will continue to stay active in CAC and on the Camp/Pool Board. She has agreed to represent Ancram on the County Environmental Management Council, and I will be recommending that the Board nominate Colleen as the Town's representative to the County Environmental Management Council to replace Ann Rader.

4. BAR Appointment – Bob Roth has resigned from the BAR. Recommend that we appoint BAR alternate Robert Mathers to the BAR to replace Bob Roth.

5. FAC Audit – FAC completed its audit of 2016 town books and records in March, and will give us their report on 4/20.

6. CSCTF – Doug Brenner has asked to step down as Chair. Suzan Flamm has agreed to chair this Task Force. We will consider on 4/20 adopting the NYS unified solar permit process and authorizing energy code training for the Building Department and Planning Board & ZBA staff & members. Doug Brenner scheduled two solar presentations over the past month – one proposing that the town buy solar power at a discount from the Central Hudson rate, and one proposing the town organize meetings for residents to learn about solar panel installation opportunities. CSCTF will continue to interview solar development firms to learn more about solar options for the town government and residents.

7. Summer Job Opportunities – Both the County Summer Intern Program for college students, and the Greenagers Program for high school age kids are looking for summer employees. Information on both programs has been circulated to the email list.

8. Disability Insurance – FAC discussed the disability insurance issue, and concluded we should continue to provide disability insurance to full time employees and to part time salaried and hourly employees. Employees will be eligible after 90 days of employment. Elected officials would not be covered. Annual premium will be about \$500.

9. County – Sales tax is running about 11% ahead of 2016. We budgeted \$255,000 in 2017. The NY State Budget has established a requirement for counties to develop a county-wide shared services plan by August 2017. The plan requires all municipalities to participate, and for the County CEO to lead the effort. There do not appear to be any targets for savings or any consequences for not developing a viable plan. This month we have for TB consideration a shared services agreement with the County IT department to provide computer and network support services.

Mr. Bassin said that the FAC has completed the 2017 audit.

### **Board Member Comments**

Councilwoman Israel asked if there was any movement on the County Manager position. Mr. Bassin responded that there has been talk but no movement and would likely be none for the time.

### **Superintendent of Pine Plains School Dr. Handler**

Dr. Handler gave a presentation on the Pine Plains Central school budget and vote. The vote will be held May 16<sup>th</sup> from 7 am to 9 pm. The tax levy will increase 2.29% and qualifies for under the tax cap. Enrollment has leveled out at around 950 students pre-K to 12<sup>th</sup>. Mr. Handler also

explained the proposed updating to the schools auditorium, which will be paid for out of capital funds and will not result in added taxes.

### **Highway**

Mr. Miller announced that there will be additional CHIPS funds this year totaling \$26,000. It is a one time deal. This will give the town a total of \$196,000 in CHIPS funds.

Mr. Miller discussed with the board a proposal to purchase a new roadside tractor. The current tractor is a 2004 with 4,000 hours. At this time it is in need of new tires costing near \$4,000. The board has previously approved the purchase of a new side mower for the current tractor at a cost of \$31,500. In order for the town to attach the new mower to the tractor, a new brace costing additional funds would have to be purchased and affixed to the machine. Our current tractor would have a trade in value. All totaled, including the extra chips funds, the town would have to pay approximately \$7000 from the contingent fund for a new machine which would have a three year warrantee.

A motion was made by Councilman Boice and seconded by Councilwoman Israel to allow for the purchase of a new John Deere tractor with side mower for the Town Highway Department. Motion carried.

Councilman Boice questioned about the replacement policy for the towns culverts. He asked if it was possible to have a list of roads with the culverts and their sizes and ages listed. The town highway superintendent will look into this.

The next oldest piece of machinery is the grader which is 20 years old. Mr. Miller is keeping his eye out for a gently used one.

Mr. Miller reported that the Houghtaling house will be coming down in June.

June 5<sup>th</sup> and 6<sup>th</sup> the department will be completing a 1.5 mile paving project.  
June 15<sup>th</sup> and 16<sup>th</sup> the department will be reclaiming Woods Road.  
July 10<sup>th</sup> through the 12<sup>th</sup> the department will be sealing.

Mr. Miller has been issued a nuisance beaver permit from the NYSDOT

A lawn maintenance employee has been hired for the summer months.

### **Town Hall Building**

Mr. Boice stated that he is waiting for the new doors to be delivered.

### **Communications**

Councilwoman Israel reported that the town signs of other towns were measured and that the new Ancram signs are the correct size, not too large. The committee is working on finding residents who will allow them on their property.

The town website has obtained permission to use B. Docktor's photos.

### **Community Development**

The Historical Department has met with the state and the Ancramdale designation is in progress. Next will be Boston Corners.

### **Subdivision and Highway Regulations**

Mr. Clark gave the following memo:

Background: \*On 19 February 2015, the Town Board adopted Local Law #1 of 2015, which contains two components: First are Land Subdivision Regulations (the updated version of Part I in the 1994 Subdivision Regulations). The second component is Subdivision and Highway Construction Standards (which had been Part II, Part III, and Appendix A in the 1994 Subdivision Regulations). The Town Board authorized the SRRC to seek professional review of the second component (Subdivision and Highway Construction Standards) and subsequently configure revisions into a separate local law or other publication for Town Board review and approval.

\*Beginning in January 2016, professional engineer Pat Prendergast provided detailed recommendations about design and construction standards that should be thrown out, standards that should be kept intact, and standards that should be kept, but modified a bit. In addition, consultant Nan Stolzenburg reviewed the standards and resolved questions with Pat. The SRRC also considered the professional recommendations and identified text and questions requiring clarification. Subsequently, attorney John Lyons reviewed the draft revisions and identified features that needed adjustment to comply with NYS and other law. Coordinating with John, Nan reconfigured the proposals into their final form.

Proposed Local Laws: Attached for Town Board action are two local laws. Local Law #2 of 2017, Town of Ancram Highway Construction Standards, identifies and consolidates in one coherent document design and construction standards for all public and private roads and for all driveways and common driveways in the Town of Ancram. Local Law #3 of 2017, Town of Ancram Land Subdivision Regulations, takes into account LL #2, and—to be consistent with LL #2—updates several provisions of Local Law #1 of 2015 and wholly supersedes that 2015 law.

Noteworthy Features of Local Law #2, Highway Construction Standards: Currently, highway design and construction specifications are located at two widely separated parts of the subdivision regulations. LL #2 revises and consolidates into one coherent document all town standards affecting traffic ways, thereby aiding applicants, the Highway Superintendent, and the PB/ZBA. The current document specifically mentions driveways in only two places, and does not mention private roads, thereby leaving applicants and the Planning Board unclear about what does and does not apply to such traffic ways. LL #2 defines and addresses both private roads and driveways (including common driveways), providing both clear guidance and reasonable flexibility. The current document contains seven diagrams/illustrations. Most are illegible. Pat Prendergast considered them to be “old and tired.” LL #2 contains three diagrams. All are new, including one for cul-de-sacs and one for emergency vehicle turn-outs.

Unlike the current document, LL #2 specifically ties highway standards to the goals of the Town of Ancram Comprehensive Plan, Zoning Law, Subdivision Regulations, and to New York State Town Law. Unlike the current document, LL #2 cites sediment and erosion control plans and stormwater pollution prevention plans that meet NYS DEC requirements. Unlike the current document, LL #2 specifies grade and curve radius standards for all driveways. Unlike the current document, LL #2 requires all driveways 500' or more in length and in specified circumstances to have pull-offs for emergency vehicles. Unlike the current document, LL #2 requires all driveways to be maintained for unimpeded access by firefighting and other emergency vehicles in all seasons. Also, LL #2 complies with Section 20(3) of the NYS Municipal Home Rule Law, which governs adoption of local laws and says that every local law shall embrace only one subject. The standards proposed in LL #2 apply to all traffic ways in the Town of Ancram, have only tangential connection to regulations governing the splitting of land, and belong as a stand-alone local law.

**Noteworthy Features of Local Law #3, Land Subdivision Regulations:** The land subdivision regulations adopted in 2015 remain almost totally unchanged. However, for clarity and to ensure consistency with LL #2, a few additional passages have been inserted: LL #3 incorporates into Article II updated definitions pertaining to access/traffic ways, erosion and sedimentation control plan, notice of intent, stormwater pollution prevention plan, and other definitions cited in LL #2. Article IV, Section 2 D (Lots) of LL #3 contains updated, more specific text pertaining to monuments and lot corner markers. Recommended by Pat Prendergast, this text is clearer than the original 1994 text. Article IV, Section 3 (Drainage Improvements) of LL #3 now contains updated text that more specifically and comprehensively includes reference to the New York State Stormwater Design Manual and includes drainage design criteria previously located elsewhere. Because the original Article IV, Section 5 (Specifications for Water, Sewer, Road and Driveway Construction within the Town of Ancram) has now been wholly updated and properly relocated as separate local law, the superseded text has been deleted and replaced with a reference pointing readers to LL #2. Article V, at Section 2 A 3 and at Section 4 B 8c, now contains updated, more specific text recommended by Pat Prendergast about the certification that surveyors and engineers must affix to plats and other documents.

**Other Points of Interest: Extensive Deletions:** The current 1994/2015 document contained approximately 22 pages dealing with general construction practices, pipeline construction, plain and reinforced concrete, cable and conduit, and approved materials for subdivision construction. As Nan Stolzenburg and the SRRC anticipated, Pat Prendergast strongly recommended that all of that text be deleted because the standards and practices those pages require are obsolete—and those obsolete requirements unnecessarily exposed the Town of Ancram to liability. When he thought it necessary to retain a subject whose text was obsolete, Pat drafted new text to reflect current standards and practices. Surveying/mapping and storm drainage are examples of such updated text. Pat's suggested deletions and revisions were then extensively reviewed by Nan and the SRRC; lingering questions were discussed with Pat until resolution, clarity, and agreement were reached.

**Authoritative Sources:** The proposed local laws refer to many authoritative sources for standards and practices. In most cases, the updated text also states that the "latest edition" of

the sources shall be used, thereby eliminating the need for frequent updates to the local laws as technology and professional standards and practices in those source documents evolve.

Lingering Issue: Although water and wastewater standards are in the current subdivision and highway construction standards that LL #2 and LL #3 replace, they are not included in these proposals. During his review, John Lyons noted that local municipalities can be prohibited from enacting their own laws applicable to a subject that is regulated by NYS law unless the local standards are stricter than those in NYS law. In his experience, water and wastewater disposal are regulated by the NYS Department of Health based on the NYS Sanitary Code, as administered by the County Health Departments. John is concerned that the water and wastewater standards that had been proposed for inclusion merely replicate the NYS Sanitary Code and other NYS and Columbia County DoH guidelines. If so, they are merely duplicative, do not comply with NYS Law, and are not needed. At John's request, coordination with CEO/BI Ed Ferratto is occurring to determine whether he concurs with John's opinion. If so, there is no need for separate Town water and wastewater standards. If not, consultation will occur with the Columbia County DoH to obtain their opinion. If it is determined that John's concerns are unfounded, a separate local law addressing water and wastewater standards will be recommended to the Town Board.

Recommended Action:

I recommend that the Town Board: \*accept proposed Local Law #2 of 2017; \*accept proposed Local Law #3 of 2017; \*schedule a public hearing on both proposals; \*seek Columbia County Planning Board review of both proposals; \*complete SEQR on each proposal; \*adopt Local Law #2; \*adopt Local Law #3.

A motion was made by Councilwoman Israel and seconded by Councilman Boice to formally accept both Local Law #2 and #3 and set the Public Hearings for May 18, 2017. Motion carried.

A motion was made by Councilman Clark and seconded by Councilwoman Israel to forward Local Law #2 and #3 to the Columbia County Planning Board. Motion carried.

The board discussed Comprehensive Plan "tweaks" with a panel to review them in 2018. There are a dozen proposed small changes to the new zoning law that can be looked at and discussed by the zoning revisions committee in the summer or fall.

The following resolution was offered by Councilwoman Israel and seconded by Councilman Clark and moved for adoption by a unanimous vote to the affirmative.

**Resolution #11 of 2017 NYS UNIFIED SOLAR PERMITTING PROCESS** - Whereas, New York State has developed a unified solar photovoltaic permitting process designed to streamline municipal permitting which will reduce costs for solar projects and support the growth of clean energy jobs across the state, and Whereas, the Town of Ancram is desirous of participating in the unified permitting process, thereby increasing the Town's eligibility for various incentives and grants through the New York State Energy Research and Development Authority; now,

therefore, be it Resolved, that the Town of Ancram adopts the New York State Unified Solar Permitting Process as attached hereto as Exhibit I, and be it further Resolved, that the Town Board authorizes the Climate Smart Communities Task Force to complete the grant application through the Streamlined Permitting Program to allow for the Town to receive a grant award up to \$2,500 from the New York State Energy Research and Development Authority for the adoption of the Unified Solar Permit; and be it further Resolved, that this resolution shall take effect immediately and a copy of this resolution, with Exhibit I, shall be provided to the Building Department.

The following resolution was offered by Councilman Boice and seconded by Councilwoman Israel and moved for adoption with a unanimous vote to the affirmative.

**Resolution #12 of 2017 ANNUAL AUDIT** – Resolved, that the report of the Town of Ancram Financial Advisory Council made to the Ancram Town Board at the Town Board meeting on April 20, 2017 confirming that they performed an audit of the books and records of the Supervisor, town clerk & Tax Collector and the Ancram Town Court for 2016 using the Audit Checklist provided by the NYS Office of the Comptroller and found these records to be satisfactory, is approved, and it is further resolved that a copy of this resolution and a copy of the Audit Report will be sent to the NYS Office of Court Administration

The following resolution was offered by Councilwoman Israel and seconded by Councilman Clark and moved for adoption with a unanimous vote to the affirmative.

**Resolution # 13 of 2017 DISABILITY INSURANCE PROGRAM** - Whereas, New York governmental entities are not required to provide NYS disability insurance to employees, and if disability insurance is provided it may be provided to certain classes of employees and not to all employees, therefore it is Resolved, that NYS disability insurance shall be provided by the Town of Ancram to unelected full time salaried and hourly part time employees after 90 days of employment

The following resolution was offered by Councilwoman Israel and seconded by Councilman Clark and moved for adoption with a unanimous vote to the affirmative.

**Resolution #14 of 2017 BAR APPOINTMENT** – Resolved, that Robert Mathers be appointed to fill the unexpired term of Robert Roth on the Town of Ancram Board of Assessment Review

The following resolution was offered by Councilman Clark and seconded by Councilwoman Israel and moved for adoption with a unanimous vote to the affirmative.

**Resolution #15 of 2017- LOCAL LAW #1 OF 2017**– Whereas, Local law # 1 of 2017, the Town of Ancram Planning Board and Zoning Board of Appeals Alternates Law, was presented to the Ancram Town Board at the February Town Board meeting, was the subject of a public hearing on March 16, 2017, and has been presented and reviewed by the Columbia County Planning Board, which found this local law has no County-wide impact and offered no significant suggestions to modify this law, therefore it is Resolved that Local law # 1 of 2017, the Town of Ancram Planning Board and Zoning Board of Appeals Alternates law is hereby adopted, and be it further Resolved, that the Ancram Town Clerk immediately file a copy of this Local Law with

the NYS Secretary of State, post a copy of this Local Law in the Ancram Town Hall and on the Town website, and file a copy of this adopted local law with the County Planning Department.

The following resolution was offered by Councilman Boice and seconded by Councilwoman Israel and moved for adoption with a unanimous vote to the affirmative.

**Resolution #16 of 2017 EMC APPOINTMENT** – Resolved, that Colleen Lutz be nominated to represent Ancram on the County Environmental Management Council to replace Ann Rader, who has resigned

The following resolution was offered by Councilwoman Israel and seconded by Councilman Clark and moved for adoption with a unanimous vote to the affirmative.

**Resolution #17 of 2017 ENERGY CODE TRAINING** – Resolved, that the Climate Smart Community Task Force be authorized to schedule Energy Code Training for the Town of Ancram and invite members of the CSCTF, the CAC, the Planning Board, the ZBA and the Building Department to participate

The following resolution was offered by Councilwoman Israel and seconded by Councilman Boice and moved for adoption with a unanimous vote to the affirmative.

**Resolution #18 of 2017 CSCTF Chair** - Resolved, that Suzan Flamm be appointed Chair of the Climate Smart Community Task Force to replace Doug Brenner who has requested to step down.

The following resolution was offered by Councilwoman Israel and seconded by Councilman Clark and moved for adoption with a unanimous vote to the affirmative.

**Resolution #19 of 2017 Shared Services Agreement with Columbia County Information Technology Department** - Resolved, that the Ancram Supervisor is authorized to enter into a shared services agreement with the County of Columbia by which the County of Columbia Information Technology Department will provide computer and network support services to the Town of Ancram for a fee of \$50 per hour.

The following resolution was offered by Councilman Boice and seconded by Councilwoman Israel and moved for adoption with a unanimous vote to the affirmative.

**Resolution #20 of 2017: Roe Jan Ramble**- Resolved, that the Town of Ancram supports and agrees to sponsor, with the Towns of Copake and Hillsdale, the 2017 Roe Jan Ramble bicycle event on September 23, 2017.

A proposed resolution regarding speed limits was tabled. The board decided collectively that it did not seem feasible to lower the speed limit to 35 on Sawchuck road given the road's condition as a hill road. Councilman Boice suggested waiting to look at a speed limit for Pat's road until after the culvert section of the road is paved. All were in agreement.

A motion was made by Councilman Boice and seconded by Councilwoman Israel to approve the warrants and pay the bills. Motion carried.



A motion as made by Councilwoman Israel and seconded by Councilman Boice to adjourn the meeting. Motion carried.

Respectfully submitted by,

Monica R. Cleveland  
Ancram Town Clerk