

concerning the financial report. Councilman Roberts asked where the town stands with sales tax, budgeted verses received. Mr. Fitzgerald stated that the town has received \$52,463.00 and are ahead of schedule. Sales tax picks up in the summer. Councilman Roberts asked if the road paving can be completed with the money that was budgeted. Mr. Dias stated he should read the Highway report. Councilman Bryant asked if the Highway was on track. Mr. Dias suggested that the Town Board members come in to the Town Hall and read the reports and not wait until the night of the meeting. Councilman Roberts stated that the Highway Superintendent was present. Why could he not give a report. He asked if the Highway was on target. Mr. Dias stated that they were not on target. H. S. Mr. MacArthur stated that if the Highway Department does not pave the remaining ½ mile to be done and does not seal one mile that has not been paved, they may make budget or go over by a small amount. The Highway will be out of fuel money in August, there is \$1,000.00 left for salt and sand for the year. Councilman Bryant suggested making a budget adjustment and placing some of the unexpended sales tax revenue into the Highway accounts. Mr. Dias stated that the Highway has some money for now and suggested that at the next meeting moving funds. Councilman Roberts asked if the SEMO money given to Ancram needed to be spent for specific work on Hall Hill Road. The money was spent previously for payroll and was going to be replenished. He asked if the money would have to be given back if not spent in the right way. He asked if Mr. Dias had spoken to SEMO. Mr. Dias said he has and that everything is okay. Mr. Roberts asked again if the money has to be used for specific work. Mr. Dias stated that the letter is in his office and that Mr. Roberts can look at it and the budget report. Councilman Roberts asked when the board will allocate the money to the capital accounts. Mr. Dias stated that this will be done at the next meeting when the numbers are all known.

Councilman Bryant asked Mr. Fitzgerald about the title of one of the accounts being Capital Building. Mr. Fitzgerald stated that that has been the name on the account at the bank for many years and that it is a money market account.

Councilman Bryant made a motion seconded by Councilman MacArthur to accept the financial report as read. Motion carried.

Mr. Dias turned the boards attention to the spread sheet that showed the total assessed value for the Town of Ancram as \$385,762,162.00. Mr. Bryant stated that that is on target with last years preliminary equalization number of 100%.

Old Business

Supervisor Dias stated that he had two applicants come in from his advertisement for an assistant ZEO/CEO. They are Bill Hunt and Nancy Brusie. Mr. Dias suggested setting up a time to meet with the applicants.

Mr. Bob Roth of the cell tower committee stated that the situation with the cell towers is now in the hands of Congresswoman Gillibrand.

Supervisor Thomas Dias stated that Mr. Saland will be at the Town Hall Bridge on July 21, 2008 at 11:00am to receive a thank you for procuring funds to buy the bridge.

Mr. Dias stated that the Town is on track with the work being done on the Hall Hill road wash out. Councilman Roberts asked if the town has received quotes. Mr. Dias stated the town is doing the work and have received the required DEC permits.

Mr. Dias stated that he has yet to receive the survey for Blass ball field. He stated that the mill is not interested in the ball field at this time, per Mr. Kennedy.

Privilege of the Floor

Mrs. Clara VanTassel asked for permission for the Ancram Lutheran Church to use the ball field for parking on August 24, 2008. The church will be having a blessing of the animals on that day at 10:00am. Councilman MacArthur stated concerns with people driving on the ball field. Councilman Bryant made a motion seconded by Councilman Roberts to allow the Ancram Lutheran Church to use the ball field for parking on August 24, 2008 with the stipulation that the Town Highway Department rope off the designated area for this purpose. Motion carried.

Mrs. VanTassel informed the board of two historical donations to the town. The first is a vintage map of Ancram presented by Alice and James Storm and hung in the Superintendents Office. The second is the donation of two signed Peter Helk prints donated by Bertha Boyles and hung in the Assessors office. All three frames have had small plaques placed on them with the donators names. A special thank you to our donators.

Mr. Gumm asked if the packet given to the town board can be made available to the public before the meeting, possible on a Monday prior. Mr. Dias stated that if possible, he will try to see to having a packet on hand for viewing the Monday before the meeting.

Mr. Ron Brant asked what damage could be done to the road that is not being sealed this year. He asked why the town would spend the money and not finish the job. Mr. Jim MacArthur stated that the stretch of road is on Wiltsie Bridge and that there will be no damage. Councilman MacArthur asked when the last time the road was sealed. Mr. Jim MacArthur stated it was last sealed in 2003.

Mrs. Hoyt asked about Mr. Roberts question about a Highway projected report and asked why the town did not do this automatically every month. Mr. Fitzgerald stated a financial report is done monthly with what has been spent and what is left. Councilman Roberts stated that he was looking for an actual to planned report and a forward analysis.

Sue Bassin asked if the advertised ZEO position was a replacement. Mr. Dias stated that it was for the assistant. Mrs. Bassin asked if the town had already promoted Mr. Ferratto to full ZEO/CEO status. Mr. Dias stated that he had received Mr. Ferratto's resume months ago to make sure he had all of his requirements for the job. Councilman Roberts stated that a board action was needed on the subject. Mrs. Joan Roberts asked if the ad

had gone to other papers. Mr. Dias stated it was only published in the Official Town newspaper, The Independent. Councilman Roberts made the motion to appoint Edward Feratto to the Town of Ancram ZEO/CEO. Motion seconded by Councilman Bryant. Councilman MacArthur asked what the salary will be. Councilman Roberts amended his motion to include the salary be the same as previous ZEO/CEO Mr. Florio with minimum hours plus the fulfilling of duties as required. Motion seconded by Mr. Bryant. Motion carried.

It was decided by the board to see the new assistant ZEO/CEO applicants during the evening with back to back meetings. Mr. Dias will call the applicants and set up the times and then let the Councilmen know.

Carol Bryant asked if the town had purchased the new Highway Truck and if they had paid State Bid or County Bid. She wondered what the State Bid was. Highway Supervisor MacArthur stated that the State Bid was \$21,000.00 without the plow package and sealing of the bed. The county bid of \$30,000.00 included these features. The truck was bought on County Bid.

Mr. Gumm stated that a question was asked in April regarding if the appointing rather than electing the assessor was legal. Donna Hoyt stated that she had found that the town had passed a local law to change from to an appointed assessor. Attorney Jason Shaw stated that a local law has to be introduced then goes to a public hearing and voted on at the next regular Town Board meeting. Mr. Shaw stated that the Town of Ancram followed these guidelines, as are required in the Town Law manual. Councilman Roberts stated that some of the offices require a Town Referendum in order to be changed to appointed. The Town Assessor does not.

New Business

A letter was written to the Board by Ruth Wittlinger, Court Clerk. She asked for permission for herself, Judge Wittlinger and Judge Wilcox to attend the annual New York State Magistrates Association Convention in Niagra Falls, NY September 21 through 24, 2008. A motion was made by Councilman Bryant and seconded by Councilman Roberts to allow the court officers to attend the annual Magistrates Convention in Niagra Falls. Councilman MacArthur asked if the board was required to allow them to go. Supervisor Dias stated that the court officers can take training two separate times during the year at Columbia-Greene. Councilman Roberts stated that the judges get more than classes at the convention, including helpful advise and meaningful relationships with other magistrates. Councilman Bryant asked what the most cost effective approach is. Mr. Dias stated that going to Columbia-Greene would be. Councilman Bryant withdrew his motion. Councilman Roberts made a motion to allow the court officers to attend formal training in Niagra Falls. Motion seconded by Supervisor Dias. Vote: Yes- 2, Mr. Dias and Councilman Roberts. No- 2, Councilman Bryant and Councilman MacArthur.

Mrs. Wittlinger wrote asking for permission to apply to the Office of Court Administration's Annual J-Cap Grant program. She stressed that the court has applied

for this grant for several years and has received many useful pieces of equipment for the Court Offices. A motion was made by Supervisor Dias and seconded by Councilman Bryant to pass the following Resolution.

Resolution # of 2008

RESOLVED: That the Town Board of the Town of Ancram does hereby allow the Town of Ancram Court Offices to apply for a J-Cap Grant from the Office of Court Administration.

Motion carried.

Supervisor Dias directed the Board to a letter sent to them by DR. Tina Aiken. The letter stated that she was having a problem with her neighbors dogs barking at all hours and fireworks being set off near her property line where she owns a vet clinic. Attorney Jason Shaw stated that he had received notice from the Secretary of State that the Local Law #1 of 2008, Dog Law, has been filed with them. Mr. Dias asked how the board felt they can help these people with their problem. Councilman Bryant read excerpts of the 1997 Noise Ordinance. He stated that it was alleged that the deputies cannot enforce the law. Deputy Anderson stated that he has not received any calls regarding barking dogs. Councilman Bryant asked if he (Mr. Anderson) could issue an appearance ticket for such a complaint. Mr. Anderson stated yes, but would probably give a warning first.

Supervisor Dias stated that the Board members have a letter from Annie Walwyn-Jones. He stated that since the letter was written the noise has been better. He suggested having those involved attend a meeting. Councilman Bryant once again pointed to a section of the 1997 noise ordinance. Mr. Shaw stated that this was the subject of earlier litigation and that the punishment section is limited.

Mr. Shaw gave a presentation on the legal way for the town to purchase real property. He stressed that a decision that is made is preliminary. The Town needs to get an appraisal and an estimate of cost to make the modifications to make the building a town garage. This person has to be qualified. The town must then resolve to buy the building and decide if they are to pay for it by a bond. Before the resolution is adopted the town must do a SEQR process. The voters then have the final say by permissive referendum. It must be placed on the ballot. Councilman Roberts asked if this could be a special election. Mr. Shaw stated that it depends on the timing. He stressed that the renovations are subject to the bidding process with sealed bids that the town can then accept or reject. Anything over \$250,000.00 would fall under the WICKS Law.

Privilege of the Floor #2

Mrs. Lisa Stickle asked if the old Noise Ordinance would cover a loud party after 10pm. She was told yes.

Mr. Dias informed the board that there will be a Public Hearing on the Ocawamic School purchase by Columbia County on July 22nd at 7pm.

Mr. Mayhew stated that he thinks that the town will need an architect to get bids on the Town Garage. Mr. Dias stated that Councilman MacArthur had gotten several appraisal quotes.

Mr. Michael Citrin gave a presentation entitled Ancram Concerned Citizens Speak Out. Mr. Citrin noted that NYS is encouraging municipalities to conserve and suggested combining with other municipalities. He stated that in two years the town taxes have been raised 90%. He wondered how the town will pay 1.1 million dollars for the Mathews property. He explained that Roche Lane is a small dirt rural road and not suitable to sustain the traffic proposed. He feels that the town garage should be on a road that someone besides the town maintains. The road contains a lot of right of ways on the map. If the town does not buy the property it cannot be subdivided due to the right of way. He wondered if the building, a pole barn, will hold up to the use. He asked if the neighbors were spoken to. It was stated at the last Town Board meeting that the neighbors were fine with the garage being on their road. Nobody was spoken to, he stated. The neighbors are afraid of the runoff from the chemicals. Supervisor Dias stated that he understood that people were spoken to. Mr. Citrin asked him under what basis. Mr. Dias stated from the basis of the committee who worked on the project. Mr. Citrin stated that when the DEC regulations are taken into consideration, the town needs 1.4 acres. He suggested as an alternative putting the garage on two sites, with the salt shed located at the second site, say the ball field. He suggested as a second alternative placing the barn on the 28 acres the town hall building sits on. Mr. Citrin wonders if the town has visited other facilities. He asks that the town board adopt a proposed resolution. Mr. Citrin gave the Town Board copies of the petition signed by concerned residents.

Mr. Baxter Stickle also approached the board. He stated that the property is assessed at \$733,200.00. If the town was to buy the garage and just 10 acres of the property, 25 %, for \$750,000.00, they will pay more than the assessment. He feels the Town should build the Barn on the Town Hall property. He stated that he takes issue with Ancram's Tax increases, which are the 2nd highest in Columbia County. He stated that the area is zoned residential with existing homes and he does not understand why the town would zone areas residential and then place a Highway Garage there.

Mrs. VanTassel reminded the board that Blass Memorial field is a memorial field given in memory of a man killed in action in WW1. Also the pool is located on this field.

Barbara Gaber asked if it was emanate domain to make a residential zone commercial. Mr. John Ingram stated that the Town Highway Garage is a municipal building and is a permitted use in any zone.

Mr. Bob Murphy asked how it was stated that everyone (on the road) was in favor of this purchase and now there are 29 people opposed. He asked who this was referring to and how did it happen. Councilman MacArthur stated that the committee did not ask 29 people. He stated that the people on Roche Lane were contacted and that the committee knew Mr. Stickle was against it. Councilman Bryant asked if Mr. Dias was a committee member. Mr. Dias stated he was. Mrs. Adrian Citrin asked about seeing the minutes of

the Highway Committee meetings. Mr. Dias stated that minutes were not taken. Councilman Bryant questioned how the committee could be responsible for researching a possible 1.2 million dollar acquisition and they took no documentation. Mr. Dias stated that the committee was responsible for reaching an agreement for a recommendation. It was a long process and everyone in the committee voted on it. He stated that it was a voluntary committee. Councilman Roberts stated that at the last meeting he had asked Mr. Mathews if all of the neighbors had been contacted, and he had stated yes. Mr. Mathews stated that he did not say this. William Miller stated he is a neighbor and was never contacted by the Committee. Jack Lindsey stated that there were a lot of rumors. He has been on several different committees and they have always taken minutes. This gives integrity and shows absents of conflicts of interests he stated. Mr. Kells asked if there were other alternatives for the garage. Mr. Dias stated that there were two others. Councilman MacArthur stated that they were not presented to the town. They were on Dam Road and the Mark Reed property.

Mr. Citrin asked when there will be feedback on the proposal of a second committee, the Highway Facility Alternatives Committee and the passing of the proposed Town Garage Resolution. Mr. Dias suggested the Board read the information presented and act on it at the next regular board meeting. Councilman Roberts thanked Mr. Citrin and stated he will be much more involved in the future committees.

A motion was made by Councilman MacArthur and seconded by Councilman Roberts to pay the bills. Motion carried.

A motion was made by Supervisor Dias and seconded by Councilman MacArthur to adjourn the meeting. Motion carried.

Respectively Submitted by,

Monica Cleveland
Town Clerk