

**Town of Ancram
Town Board
Regular Meeting
July 16, 2009**

Present: Supervisor Thomas Dias
Councilman James Miller
Councilwoman Donna Hoyt
Town Clerk Monica Cleveland
Councilman John MacArthur
Councilman Robert Mayhew
Attorney Jason Shaw

Supervisor Thomas Dias called the regular meeting to order at 7:00pm with a salute to the flag.

A motion was made by Councilman Miller and seconded by Councilman Mayhew to accept the minutes of the previous meetings as read and have them placed on record. Motion carried.

Supervisor Dias read the following financial report:

General Checking account:	\$1,208.06
Money Market Account:	\$776,656.56
T & A:	\$11,259.84
CDBG:	\$14,801.28

Councilwoman Hoyt stated that she had questions about the Capital Building account and the Capital Equipment account. Mr. Dias stated that they can meet with the bookkeeper. A motion was made by Councilman Mayhew and seconded by Councilwoman Hoyt to approve the financial report as read. Motion carried.

Mr. Dias asked that the board look through their packets at the correspondence and e-mails.

Old Business

Mr. Roth stated that Greeley Ford has checked the proposed cell tower sites as well as other sites in the Taconic, Copake and Ancram area.

Mr. Art Bassin gave the following Comprehensive Plan report.

1. Comprehensive Plan Committee Activities --The Comp Plan Committee has revised and finalized the Comp Plan based on comments from the June 22 Public Hearing, and will present the Plan to the Town Board at the July Town Board meeting. Next steps are for the Town Board to review the Plan, hold its own public hearings within 90 days, and appoint a Zoning Revisions Committee to begin revising the Town's zoning laws to bring them into alignment with the new Comp Plan.

2. CDBG Activities -- The CDBG Project Team is working to finalize the "Community Development Strategic Plan", and plans to hold public hearings on this Plan in the fall. The next CDBG grant opportunities are for another Technical Assistance Planning Grant (application due in November 2009) requiring a \$15,000 match, and a no-match \$400,000 construction/renovation grant (application due in

April, 2010). We have used about \$14,000 of our current \$21,000 CDBG grant funding, and expect to use the balance of the funds finalizing the Community Development Strategic Plan over the next few months.

3. Agriculture & Farmland Protection Plan (AFPP) – We circulated a Farm Inventory to about 40 farm operators in Ancram, and expect to have results from this survey by the end of September. We are still waiting for the first \$6250 advance from the NYS Departments of Ag & Markets on the \$25,000 grant we have been awarded. A portion of these grant funds will be available to help underwrite the zoning revisions efforts related to the Comp Plan.

4. Budget – Comp Plan spending in June was about \$500, and Ag & Farmland Protection Plan spending was about \$700. Through June, we have spent approximately \$10,500 of the \$16,500 full year budget.

Councilman Miller stated that the committee deserves a lot of credit. The plan, he stated, reflects the communities ideas and he is please that it will allow for room for the children of the town to live and work here. Mr. Hugh Clark thanked the community for all of their input and felt that the plan is good. Mr. Dias stated that this has been a very long process and his thanks to the committee. Mr. Bassin reminded Mr. Dias that the board has 90 days to have the mandated public hearing.

Mr. Ed Ferrato, town ZEO/CEO addressed the board. He asked how the board feels he should proceed with appearance tickets and their enforcement. Mr. Shaw stated that this was not the ZEO's job. Mr. Ferratto stated that he wanted a way to bring those not in compliance to the town court legally. Mr. Shaw stated that the ZEO serves the orders to remedy and then if they are not complied with after the certified mailing has been sent and 30 days have passed, then the offenders can go to jail. This will be Jason's job to commence with the criminal action. Mr. Shaw stated that he would ask the Town Board for a resolution to prosecute . Mr. Shaw stated that there is 30 days whether the letter was refused or signed. Mr. Ferrato stated that he has sent the letters both certified and regular mail. Councilman Macarthur asked if the costs of the persecution will be beyond the Mr. Shaws retainer. Mr. Shaw stated yes but the money will be recouped in the fines.

The following resolution was offered by Councilman Miller and seconded by Councilman Mayhew and moved for adoption.

RESOLUTION #17 OF 2009: COLUMBIA COUNTY HIGHWAY CONTRACT

RESOLVED: The Town Board of the Town of Ancram does hereby extend the contract that exists between the Columbia County Highway Department and the Town of Ancram allowing the Town of Ancram Highway Department to provide snow and ice removal on Columbia Counties Routes 8 and 8a for the year 2009 through 2012.

Resolution carried.

Mr. Dias spoke about the Community Rescue Squad. He stated that the board is allowed representation on their current tax levy committee. Councilwoman Hoyt stated that she was under the impression that former Councilman Lindsey was the representative from Ancram. Mr. Dias agreed. He stated that he knew that the committee had met as late as two months prior. Mrs. Hoyt stated that she would contact Mr. Lindsey.

Mr. Dias stated that to minimize Highway costs he is asking the board to proceed with letters to the homeowners on Overmountain road suggesting that the road become minimal maintenance. Superintendent MacArthur stated that he felt this was not a good

idea. He suggested that the board read the book further on the subject. Mrs. Hoyt asked how the original list came about. Mr. Dias stated that it began with his driving the back road of Overmountain and finding that the road for a very long stretch had no homes on it. Mrs. Hoyt asked the possibility of the town being liable if there was a fire on the road. Mr. Dias stated that he has spoken to the Fire Department and they said the as long as the road is maintained in some way and they could get through with the trucks this was okay to do. Lynn Miller asked how many homes were on Crest Lane extension. She stated that Roche Lane has more homes then that road. Mr. Dias stated that the senate has legislature dealing with this same issue. Mrs. Hoyt stated that she would like to see a list of these roads and who lives on them. She stressed that these people also paid taxes and that 80% of the town taxes goes to the highway budget. Mr. Shaw stated that the town cannot make the roads seasonal without the consent of the people who live on the roads. He also stated that he has never heard of the minimum maintenance .

Privilege of the Floor

Mr. Rick Dubrey asked if the town ever did anything about the turnarounds on some of the smaller town roads. Councilman MacArthur stated that this was not pursued.

Mrs. Lynn Miller asked how a road could become a town road. Mr. Dias stated that the Highway Superintendent would make it a road.

Councilman Mayhew asked if a town could abandon a road. Mr. Shaw stated that the way a road becomes a town road is by it being maintained by the Town Highway Department for a certain length of time. Fireman David Boice stated that he has questions about some of the roads on the list. Mrs. Hoyt stressed that the owners on the roads need to be contacted.

Mr. Donald McLean stated that he would like to submit his name to be considered for the Zoning Revisions Committee.

Mr. Mike Citrin asked if the board would allow him to write a letter and send it to property owners in the Town of Ancram who may have land they would wish to sell for the construction of a Highway Garage. Mr. Dias stated that the board would agree to this and to submit receipts for postage. Mrs. Hoyt stated that the Garage Committee had already done this.

New Business

A motion was made by Supervisor Dias and seconded by Councilman Mayhew to allow budget amendment #18 of 2009 to be approved. Motion carried.

A motion was made by Councilwoman Hoyt and seconded by Councilman Miller to make budget amendment #19 of 2009. Motion carried.

Mr. Ken Legget addressed the board. He stated that he apologized for not making the Monday night workshops but that he has office hours in Livingston that night. He stated

that the equalization rate is at 93% for the town of Ancram. He had the paperwork ready to grieve it and him and Mr. Shaw thought that they had sufficient time. He stated that he had sent paperwork concerning this issue, the low equalization rate and an incorrect sale number, to the state and that it was denied. He stated that he pushed for the towns rate to be increased. He stated that if the town had gotten the 95% the State would push it up to the 100%. Mrs. Hoyt stated that she was concerned that the state were using 2008's, the year of the revaluation, figures to make this rate and yet the town only hit 93%. Mr. Legget stated that he has never been able to explain this issue.

Mrs. Hoyt questioned the piece of property next to the Town Highway Garage owned by the Houghtalings. Mr. Legget stated that the assessment was dropped on December 18, 2008 after his clerk Mrs. Boice informed him that a burned out, unlivable home was on the roll. Mrs. Hoyt stated that if the assessment was being dropped on one property they needed to be dropped on all. Mr. Legget stated that the property should have never been assessed so high to begin with. Mrs. Hoyt stated that they had paid taxes on the 171,000 not the 90,000. Mr. Legget stated that the issue was not brought up and was not grieved. Mrs. Hoyt stated that she was an elderly lady. Mr. Dias thanked Mrs. Boice for her forethought. Councilman Mayhew stated that all older peoples property should be looked at on the roll. Mr. Dias suggested that this be a senior commission activity. Mr. Shaw stated that Mr. Legget has to be very careful and that he cannot be lowering on his own. Mrs. Hoyt asked for quarterly reports from the assessors office. Mr. Legget agreed and stated that the state will be here on August 13, 2009 to show him how to do trending.

Mr. Steve Roberts stated that the average prices on homes are down 20%. Mr. Dias stated that there is little the town can do about this according to the state. Mrs. Hoyt stated that the State likes the revenues. Mr. Legget stated that the state gets no revenues out of this. Mrs. Hoyt stated that the assessors cannot go by sales yet the equalization rate does.

A motion was made by Councilman Miller and seconded by Councilwoman Hoyt to appoint Taryen Coccio to the Youth Commission. Motion carried.

The town board members set the date for the Public Hearing for Charter Communications contract for August 20, 2009 at 6:30pm.

RESOLUTION #19 OF 2009

RESOLVED: That the Town Board of the Town of Ancram does hereby allow the Town of Ancram Tow Court to apply for a grant with the Office of Court Administrations . Resolution put forth by Supervisor Dias, seconded by Councilman Mayhew. Carried.

Councilwoman Hoyt suggested that the board review the town committees and chairs. She also suggested sending out a questionnaire.

2nd Privilege of the Floor

Mr. Thomas Gumm suggested that the town residents draft a letter concerning the assessment problem and have it sent to the State Representatives. He stated that as a

BAR member, he would like better guide lines. Mr. Dias stated that Mr. Legget should have these guidelines and that he would speak to the County Offices.

Mrs. Ruth Thomas stated that she has been working with the Youth Commission in regards to the fence along the property at the pool. She stated that there is a 20ft drop into a ravine and she has donations to cover some of the costs of putting in a fence. She stated that this is a safety issue. She would also like to see repairs to the ball court. Mr. Dias asked if she had run this by the building department. She stated she has. A motion was made to allow Mrs. Thomas and the Youth Commission to make upgrades to the Fence and play area by the Town Pool. Motion seconded by Councilman Miller. Carried.

Madeline Israel stated that she has spoken to the census board district manager and that they ask that the Town Board appoint a count committee. The purpose is to encourage people to fill out the forms.

Mr. Mike Citrin asked if the town board will tell what was discussed in Executive Session. Mr. Shaw stated that this session had to do with a contract negotiation.

A motion was made by Supervisor Dias and seconded by Councilman Mayhew to adjourn to executive session to discuss a contract. Motion carried.

Executive Session

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

The board discussed the zoning revisions committee. Names that were discussed were as follows: Larry Berg, Kyle Loughheed, Barry Chase, Don McLean, Bob Roche, Fred Sneeburger, Terry Boyles. Mr. MacArthur will also ask Cliff Campbell.

Mr. Dias stated that a hearing must be held for the Comprehensive Plan in 90 Days. Mr. Miller stated that they, the Comp Plan and the Zoning revisions, should be passed together.

Mrs. Hoyt addressed the Tin Smith House and asked what the boards feelings were on this issue. Mr. MacArthur stated it should be taken by emanate domain. Mr. Mayhew and Mrs. Hoyt stated that they did not feel this was right.

A motion was made by Councilman Mayhew and seconded by Councilman Miller to adjourn the meeting. Motion carried.

Respectfully submitted by,

Monica Cleveland, Town Clerk