

**Town of Ancram
Town Board
Regular Meeting
September 15, 2016**

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

Mr. Bassin called the meeting to order at 7:00pm with a salute to the flag.

Councilman Thomas gave a report on the interviews for the vacant Board of Assessment Review seat. Mr. Thomas stated that the committee interviewed Mr. Steve Olyha and Mr. Bob Mathers. Mr. Thomas said that it was the recommendation of the committee to appoint Mr. Olyha to the vacant seat, made vacant by Mr. Seiber, and to appoint Mr. Mathers as an alternate to the board. A motion was made by Councilman Boice to approve the committee's recommendation, seconded by Councilwoman Israel. Motion carried.

Pat's Road Culvert

Mr. Bassin reported that there have been some unforeseen issues with the culvert project, the main one being that there are elevation issues with the footers and wing walls. The project has run longer than anticipated. The committee is in discussions at this time regarding cutting back the wing walls.

Mr. Bassin stated that he has been in contact with property owner Bill Cohan. Mr. Cohan requested that Mr. Bassin read the following email into the official record.

Art

I think progress is a relative term frankly. I have seen pictures of the destruction this process has wrought to our once beautiful landscape. I remain deeply disturbed that this project was allowed to proceed, even as originally designed (forgetting for a moment the contractor's utter unsupervised botching of the job.) where a scalpel was needed, you all used a sledgehammer. I said from the outset this was a waste of energy and resources. But no one listened to the one constituent who would be most effected by this project. Government service at its best I guess. You insisted on using your absolute power and you did it. Bravo for you. You seem to have utterly forgotten that you serve at our pleasure. Or maybe you just don't care anymore.

So now we have a terrible scar and a stream that will never be the same. And destined for more scarring as the mistake gets "corrected" and the concrete wings sawed off. You bulled ahead, "finished" the job, got the road open -- most important I guess for you -- and left us holding the bag and hoping that you all can set this right. I am skeptical that you can, given the destruction so far.

You are probably right that I can't win a lawsuit but it will be fun trying, an approach I learned from Donald Trump who told it to me himself. I also think this story of government overkill of a tiny local

stream would make a good "lessons learned" piece for the newspaper. I would certainly assign it to a reporter if I were editor.

*So yes, still in considerable anger that you greenlighted this project, signed a contract giving you no indemnification against shoddy work and left the job unsupervised, I will see you Saturday.
Bill*

William D. Cohan

Mr. Bassin then read into the record his response to Mr. Cohan:

Thanks for your note.

I understand your frustration and anger. I really do. And I sense you would feel this way even if there were no footer elevation problem, and the project had been flawlessly implemented, because you believe the concrete culvert of this size was overkill and a waste of money.

As we have explained, the culvert size was based on DEC guidelines for this size of stream. Based on DEC guidelines, we installed the environmentally correct sized culvert. We could have installed a pipe of similar size to what was there, but that would not have met the targeted aquatic passage and capacity requirements for this stream according to DEC guidelines.

As you know, from the beginning, the Town has been confident we could screen the culvert from view from the house. I look forward to showing you how we propose to do that.

I agree the construction process was messy and disruptive. That part is over, and there seems to be no reason to redo the culvert and recreate the disruption we have just experienced.

If there were a valid reason to redo the culvert to sink the footers down another 18 inches or cut the walls of the culvert down 18 inches, we would do it. We would take whatever action against the contractor necessary to make that happen.

There is just no reason to do that. At each step in the construction process, when we asked that question, we came up with the same answer, which is why we continued the work.

Look forward to seeing you Saturday afternoon...What time works best for you?

Andrea Bennet, another neighbor to the project, stated that she felt that as a town, the project needs to be made right. She felt that the proposed plantings will help the visual issues. Mr. Bassin at this time showed a drawing of the proposed plantings.

Doug Clark felt that the wing walls do indeed stick up farther than proposed. At this time they have been left exposed until a decision is made to cut them or not. He told the board that he has seen this cutting take place in the past and that it can either look good, or come out bad.

Mr. Bassin expressed that the town has had much learning from this project. There will be many more culverts to replace over the next twenty years. He has drafted a letter for Mr. Cohan and when it is done he will present it to the Town Board. He suggested that in the future the town should go to the DEC and ask for a scaled down version for the smaller country roads.

Mr. Bassin announced that the Hall Hill culvert project has been postponed until next summer.

Mr. Clark stated that he was not at the site when the walls were placed and he wished he had known of the issues. Mr. Boice asked why Mr. Clark was not at the site sooner. Mr. Clark stated that he was hired just for inspections and on an as needed basis. Mr. Thomas stated he felt the wing walls should be cut now and not wait.

A motion was made by Councilman Thomas and seconded by Councilwoman Israel to approve the minutes of the previous meeting and placed on the record.

Fire Chief

Mr. Boice said that it had been a busy month with fourteen calls. Mr. Boice said that there is a 2% increase in the proposed fire district tentative budget. There will be a beef and lobster dinner on October 8th.

Supervisors Report

1. Financial Report – August was another “normal” financial month. Through August, 2016, our total spending in the general fund was up over the same period in 2015 about \$15,000, including \$18,000 of 2016 pool capital improvements. Highway department spending is flat this year over last, after absorbing the \$84,000 truck bond payment. We had about \$1 million of cash on hand at the end of August.

2. Year-end Cash Projection – No changes. We should end the year with about \$800,000 in cash.

3. Pats Rd Culvert - We have run into major installation problems here. Contractor installed footings 18” above level specified in the plans, and did not make Engineer or Town aware in a timely way. We are reviewing our options in terms of how to deal with the contractor and what to do to mitigate the visual impacts of an 18 inch elevation error. I will suggest we go into executive session about this matter, as it could end up in litigation. Given our experience with Pats Rd I think we should postpone the Hall Hill culvert until next summer, so we can more fully understand what went wrong with the Pats Rd culvert project.

4. Oil/Water Separator – Still waiting for DEC permit approval. Permit should be granted this month.

5. Parcel adjacent to Town Garage – This .54 acre parcel has been taken over by the County in a tax foreclosure. County has offered it to Ancram for \$2500, and the TB has approved this purchase. Still waiting for county to perfect the foreclosure and a judge to sign off on it. This all may happen by year end.

6. TH Wireless Smoke, Gas, Carbon Monoxide Detectors – I am inclined to accept the \$1000 proposal for the Town Hall upgrade, but still will need to review the placement of the new sensors with A&R. Recommendation next month. Jim and I still have not had a chance to review the \$6000 proposal for the Highway Garage from Vector. We should have a recommendation next month as well.

7. 2017 Tentative Budget – We will hold a public hearing on the 2017 Tentative Budget at 6.45 on Thursday 9/15. The Tentative Budget indicates a tax levy that is flat to 2016 with a \$15,000 increase in the contingent account. As we learn more about our “uncontrollable” costs (health, property and liability insurance and the state retirement fund), and work our way through a review of salaries, the numbers will move around a bit, As in the past 6 years, I think we should be targeting a final 2017 tax levy that is a percent or so under 2016. Jim Miller and I are talking about a small \$20,000 to \$30,000 cut in the highway repairs budget to reflect the \$30,000 increase in CHIPS money we will get this year and next.

8. BAR Appointment – We have two people applying for the BAR. Bob Podris, a third candidate, has withdrawn. Steve Olyha and Bob Mathers will be interviewed at 6 and 6.15 pm on Thursday 9/15. Will send you brief bios on both before the interview. Interview committee will be BAR members Palmer Irving and Matthew Bernstein, and Town Board members Madeleine Israel and David Boice, with former BAR member Chris Thomas participating in the interview if he is in town.

9. County Issues – 2017 County budget process has started. 2017 target is for a tax increase that is under the .68% State budget cap. CGCC was named the third best Community College in NY State, and

Mr. Bassin announced the there is a proposed closing date of October 13th for the property next to the Town Garage that the town is purchasing from the County.

Susan Hillel asked a question regarding a 16% increase in her school taxes. Mr. Bassin stated he will help her look into this.

Board Members

Councilman Clark announced that there will be a training session on solar planning at Columbia Greene once again if anyone is interested.

Councilman Boice suggested that the board think carefully about the tearing down of the home on the property by the town garage being purchased, as he believes that the shingles are asbestos and will require special demolition procedures.

Highway

Mr. Miller reported that the department is planning to pave the portion of road in front of the Sommerhoff farm. Truck #32 is returned after repairs. The new 5500 will be delivered sometime in November. Mr. Miller has been attending the Highway Superintendent Conference in Lake Placid.

A question was asked about the color gravel the town is using (white) and the fact that it is not "farm community" appropriate. Mr. Miller answered that it packs better and is considerably cheaper. The department has not had to do much upkeep on the roads it has been placed on. Mr Clark stated that he has been in Vermont and most of the back roads look much the same.

Town Clerk

Mrs. Cleveland asked if the board would approve a file cabinet purchase for the Assessors office. A motion was made by Councilwoman Israel and seconded by Councilman Boice to approve the purchase of a file cabinet for the Assessors office not totaling more then \$400. Approved.

The Town Clerk stated that she is looking into a possible records management grant.

Court

Mrs. Lutz reported that the court has a bench trial this month.

Climate Smart Task Force

A Mr. Derek Porter is interested in being a part of the Climate Smart Community Task force.

Camp/Pool

Mr. Bassin reported that the summer camp & pool programs received \$26,000 in fees and donations, and spent \$36,000 resulting in a net cost to the town of 10,000. This was \$1,000 better then budget.

Cemetery

The fence around the Freeground Cemetary has been installed. It will be painted the weekend of September 24th and the 25th.

The town historian has asked the town to consider adding more space for them.

The following budget adjustments were offered by Councilman Thomas and seconded by Councilman Boice and moved for adoption. Carried.

To 7020.1 Camp from Fund Balance: \$6000.00

To 7510.4 Historian from Heritage Resources \$2225.00

A motion was made by Councilman Thomas and seconded by Councilman Boice to approve the warrant. Motion carried.

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

At this time Councilwoman Israel asked about the time frame on political signs. Mr. Bassin responded that while there is a time frame in the town zoning, he felt that this could be looked at as imposing on a property owner's freedom of speech, so the town did not enforce the political signage rule in the zoning.

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

Respectfully submitted by,

Monica R. Cleveland
Ancram Town Clerk