

**Town of Ancram
Town Board
Regular Meeting
February 21, 2013**

Present:	Supervisor Arthur Bassin	Councilman James Miller
	Councilman Chris Thomas	Councilman Hugh Clark
	Councilwoman Madeline Israel	Deputy Town Clerk Ruth Wittlinger

The regular meeting of the Ancram Town Board was called to order by Supervisor Bassin at 7:30pm with a salute to the flag.

A motion was made by Councilman Miller and seconded by Councilwoman Israel to approve the minutes of the previous meeting as read. Motion carried.

Fire Chief Report

There were 13 fire calls this month. Mr. Boice stated that a group of citizens have formed to be involved with the addition to the firehouse. They will raise funds to purchase a water system, reside the old portion of the firehouse and purchase doors. The fundraising will kick off at the Saturday chicken BBQ. The demolition of the building has been held off because of asbestos and should resume on February 27th. Mr. John MacArthur stated that the department will be collecting food for the Roe Jan Food Pantry at the chicken BBQ.

Mr. Boice stated that the Cemetery Committee has been remiss in turning in vouchers the past few years and that he has submitted 3 years worth. Mr. Bassin stated that the cemetery money was in the budgets for the past three years and the money was in the fund balance, so the vouchers can be honored.

Supervisor's Report

Financial Report: Revenues in January totaled \$68,000 including \$63,000 in 4Q 2012 sales tax receipts. Costs totaled \$105,000, including paying \$20,000 for the full year 2013 property and liability insurance premium. Cash in the bank at the end of January totaled \$618,000. If we adjust for the insurance premium, we are running about \$15,000 better than the running rate budget. We are benefitting again this year from a mild winter, which requires the highway department to spend less on salt, sand, fuel and overtime. We received our property tax money (\$805,000) last week from the Town Tax Collector (thank you, Monica), so we will be seeing our bank balances increase sharply in February.

Here is a brief update on our 2013 Priorities:

1. Complete the zoning and subdivision regulation revision effort: The continuation of the Package 4 public hearing on 2/21 is the next step. Following the public hearing, we will have a better sense of where we are with Package 4, hearing from the ZRC about where they are with the environmental and ridgeline protection issues that have been raised.

If we are not yet ready to deal with the ridgeline regulations, one approach we can consider is to adopt Package 4 without the ridgeline regs, and deal with them separately. As part of this, we should decide if we want to notify all property owners who will be affected by the proposed ridgeline regs and schedule a meeting for that group prior to adopting the proposed regs. I was rereading the Comp Plan last night, and came across the following ridgeline protection strategy on page 27 of the Comprehensive Plan, which we should keep in mind as we consider the proposed ridgeline regs:

2.11 Ridgeline Protection

Establish guidelines to protect designated ridgelines. Designated ridgelines should be determined by the zoning revisions committee based on their topographical prominence and scenic importance. On these designated ridgelines, locate structures so rooflines do not extend above the existing tree line or ridgeline. Use the NY State DEC guidelines for assessing and managing visual impacts of development, and selective tree removal instead of clear cutting to the maximum extent. These requirements will be mandatory for major subdivisions, and encouraged for minor subdivisions.

2. Improve the sight line and safety of the 82/7 Intersection: The carve-back of the retaining wall along the north side of 82 looking east from the north side of CR 7 should happen this spring.

3. Adopt and implement the Heritage Resources Plan: The Heritage Resources Committee has developed a draft plan, which you have seen, but decided to postpone the 2/21 public hearing until they could do additional research on what other communities have done in terms of revitalization, consult with the NYS Preservation League and organize a series of informal community public forums to solicit community participation and interest, which will be scheduled over the next 6 months. Lynne Perrella has developed a proposal to turn the TH vestibule into an additional historic display area. Lynne is working on this idea with Town Historians Clara Van Tassel and Robin Massa, and will present a formal proposal when she is ready.

4. Adopt the implement the Natural Resources Plan: CAC is working on this Plan.

5. Fix the barking dog and wind turbine noise problems: We will be considering resolutions at the 2/21 meeting to:

- adopt a new dog law which will make it easier for the Animal Control Officer to deal with habitually barking dogs, and
- revoke the special use permits granted in 2010 for the two wind turbines on Carson Road, which appear to have been granted based on incorrect information and possible misrepresentations about how noisy these turbines could be. In applying for the permits, the literature and representations from the manufacturer and a NYSERDA expert suggested that these turbines were “extremely quiet” and “almost silent”, which turns out not to be the case.

6. Increase financial reserves: We have about \$72,000 in contingency money in our 2013 budget, and if 2013 sales tax revenues come in at 2012 levels, we have another \$40,000 opportunity. So far, we have benefited again from a light snow year. The great uncertainty is what will happen to consumer confidence and federal and state revenue sharing from the fallout of a failure to solve the financial problems facing Washington. If the sequester takes effect on March 1, or the continuing resolution to keep funding the

federal government is not passed and there are problems funding the Federal government, the State, County and Town are likely to feel the effects.

7. Keep taxes flats in 2014: Barring a major financial meltdown and a significant deterioration of sales tax, federal, state and county aid, we are likely to be able to keep town taxes flat again in 2014.

Other Town Issues

1. Elect or Appoint the next Highway Superintendent? Jim MacArthur has indicated he plans to retire at the end of this current elected term, December 31, 2015. While I am hopeful Jim will reconsider and stay on, we need to discuss and decide if we want to continue with an elected highway superintendent, or if we want to move to an appointed highway superintendent. If we decide to move to an appointed highway position, we will need to take that recommendation to the voters for a referendum.

2. Town Management Initiatives: Town Highway Superintendent Jim MacArthur has conducted a two-hour workplace harassment training program, using outside consultants. He is planning to conduct safety training and to implement a staff performance appraisal system. I plan to share the harassment training materials with all town departments and employees, and after the TB reviews the appraisal forms, we will adapt the highway department appraisal forms to other town departments.

County Issues

1. Financial Trends: County surpluses (2006-2009) have turned into deficits (2010-2013). I prepared this County summary using County financial information from 2006 – 2011 posted on Open Book NY, the NYS Comptroller's data base of municipal financial data, and the County budgets for 2012 and 2013. This analysis indicates that the County generated \$19 million in total surpluses between 2006 and 2009. Deficits totaling \$26 million from 2010 through 2013 will push the cumulative 8 year deficit to a negative \$7 million.

Year	Revenues \$million	Expenses \$million	Surplus+ Deficit- \$million
06	113	105	+8
07	131	123	+8
08	128	128	---
09	130	127	+3
10	132	139	-7
11	137	144	-7
12Bud	139	144	-5
13Bud	148	155	-7
8 Year total deficit			-7

2. New County Cost Control Committee: BOS Chair Pat Grattan appointed a new committee at the last BOS meeting to focus on cost control. The new committee will be chaired by Rick Keavaney, Canaan Supervisor, and includes Grattan, me, County Treasurer PJ Keeler and County Controller Ron Caponera.

Councilwoman Israel spoke about the Senior Citizen of the year award and asked if there were any nominations, to let her know.

Highway Department

Mr. MacArthur stated that the dirt roads will be bad this spring. Clean up day will be held April 27th. Mr. MacArthur spoke about the Highway Performance appraisal. Councilman Clark stated that he liked this and that salary increases should be awarded on job performance. Mr. MacArthur spoke about the sweeper grant inter-municipal agreement. The rabies clinic will be held at the Highway Garage on 3/16.

FAC

There will be a meeting on Saturday.

ZBA

There will be training on the new zoning. Time TBA

Ag Advisory Council

There will be a meeting on Saturday at Taconic Hills School. County Ag & Farmland Protection Plan Committee will make a presentation at the Ancram town hall on 3/2/2013.

Historian

Clara Van Tassel, town historian, spoke about the Heritage Resource plan. The public hearing was postponed until summer. There are plans underway to make the town hall vestibule into a "historic Ancram" presentation area.

ZRC Package 4

Mr. Thomas stated that he is conflicted about restricting people's rights to build on ridgelines. He feels that there has not been enough research done. Mrs. Israel stated that she is surprised that only the realtors came to the public hearing. It was decided to remove the ridgelines from the package. Mr. Clark stated that the ridgeline regs are less than one page in Package 4 and that it needs more discussion. There has to be a balance between property rights and protecting scenic views and rural character. Mr. Bassin suggested going back to the logic and language of Comp Plan detailed strategy 2-11, which was less severe than the proposed ridgeline protection regs in Package 4. He commented that those affected need to be contacted for comment. Mr. Bassin also suggested that the town board and the ZRC meet together to come up with a revised set of ridgeline protection regs. Mrs. Hoyt stated that there are many things that look good on paper but then in theory do not work. Mr. Mike Citrin asked if the town can come up with something to make those people who own ridgeline property feel better about having their ability to build on ridgelines restricted. Mrs. Hoyt suggested ridgeline properties could lose value because of proposed building restrictions. Mr. Bassin suggested passing Package 4 without the ridgeline for now.

Dog Law

Mr. Bassin suggesting deferring the dog law adoption to next month to allow inclusion of comments from the public hearing.

82/7 intersection wall blocking sight lines looking east from CR 7 will be carved back by the County in May or June.

Mr. Bassin noted that the special use permits for the wind turbines on Carson Road will be reviewed by the Zoning Enforcement Officer and considered for revocation. This is because the noise problems associated with these turbines were not disclosed during the application process in 2010, and the permits state that the special use permits can be revoked for misrepresentation or the failure to disclose relevant information. Mr. Joe Crocco, in a letter, stated that the noise level is 54.5 decibels. He feels that Ag and Markets will intervene. He would like to have some time to get Ag and Markets involved. Mr. Bassin stated that if Ag and Markets concludes that he is not subject to town law, then the town is bound by law to respect the Ag & Markets judgment, but the town does not believe Ag & Markets has jurisdiction in this matter.

Joe Amato stated that the turbines were not explained well when put up. Not considered was the pressure of the outside factors such as the pull of other turbines. Mr. Bassin stated that the Board's objective is to get the turbine's noise level lowered. Another neighbor stated that if the property is deemed farmland, then the turbine can stay. He wonders about the noise coming from it and would like that taken care of either way.

Bonnie Hundt had an issue with the Land Owners association and what sounded like hand grenades going off. Shook the windows in her home. She wondered who regulates this?

A motion was made by Councilman Miller and seconded by Councilwoman Israel to pay \$250.00 for Ed Feratto to go to training.

A motion was made by Councilman Miller and seconded by Councilwoman Israel to make the following Highway Budget Adjustments for 2012: to 5110.1 from 5110.4: \$2,323.00. Motion carried.

A motion was made by Councilwoman Israel and seconded by Councilman Miller to make the following 2012 budget adjustment to the general fund: From 1990.4 \$545.00 to 9050.8 \$45.00 and 8020.4Z \$500.00. Motion carried.

A motion was made by Councilwoman Israel and seconded by Councilman Miller to make the following 2013 highway budget adjustment: To 5130.2 \$35,000.00 From 5142.4. Motion carried.

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

The following resolution was offered by Councilman Miller and seconded by Councilwoman Israel and carried by a unanimous roll call vote:

Resolution #12 of 2013: Inter-municipal support:

Whereas the Ancram Highway Department is often asked to provide equipment and manpower to support the road maintenance and major construction project activities of nearby Towns, schools and other municipalities, and whereas the Ancram Highway Department receives similar equipment and manpower support from nearby Towns, schools and other municipalities when it needs such support, therefore it is resolved that the Ancram Highway Superintendent is authorized to provide and receive inter-municipal support as he deems necessary and beneficial, and it is further resolved that when providing or receiving such inter-municipal support, that the Highway Superintendent will notify the Town Superintendent, who will notify the Town Board of these activities.

The following resolution was offered by Councilman Clark and seconded by Councilwoman Israel and moved for adoption. Carried by a unanimous roll call vote.

Resolution #13 of 2013: Inter-municipal Sweeper Grant:

The following resolution was offered by Councilman Miller and seconded by Councilman Clark and adopted by a unanimous roll call vote:

LOCAL GOVERNMENT EFFICIENCY GRANT

WHEREAS, the Taconic Hills Central School District and the Towns of Copake, Ancram and Hillsdale (collectively referred to as the "Taconic Hills Municipal Facilities Collaborative") are seeking to reduce overall operational costs by purchasing and sharing essential facilities maintenance equipment; and

WHEREAS, the New York State Department of State Local Government Efficiency grant program 2013 presents an opportunity to receive fiscal assistance for implementing programs that reduce overall governmental costs by sharing services and resources; and

WHEREAS, the School District and the surrounding Towns have a history of inter-municipal cooperation specifically focused on public works and other municipal improvement projects and services; and

WHEREAS, operating under the jointly approved inter-municipal agreement, the Taconic Hills Municipal Facilities Collaborative desires to jointly purchase and operate a new sweeper/vacuum vehicle by applying for grant money through the Grant program above; and

WHEREAS, the Taconic Hills Central School District as the Lead Applicant, and the three co-applicants, the Towns of Copake, Ancram and Hillsdale, will be applying for \$200,000.00 in Local Government Efficiency grant funds to implement this project; and

WHEREAS, the Taconic Hills Central Scholl District as the Lead Applicant, and the three co-applicants, the Town of Copake, Ancram and Hillsdale, will each commit \$5,000.00 as the required 10% local share; and

WHEREAS, the municipal co-applicants of Copake, Ancram and Hillsdale have agreed to enter into an inter-municipal agreement with the School District in which the shared services are listed in detail pending approval of this grant application; now, therefore, be it

RESOLVED, that the Town Board of the Town of Ancram authorizes the Taconic Hills Central School District to apply as the Lead Applicant to implement the Taconic Hills Municipal Facilities Maintenance Collaborative under the New York State Local Government Efficiency grant program for 2013, with the towns of Copake, Ancram and Hillsdale serving as co-applicants; and be it further

RESOLVED, that Superintendent of Schools, Dr. Neil Howard, be designated the Lead Contact Person (or his designee), to submit said application, and to execute all financial and/ or administrative processes relating to the grant program.

The following resolution was offered by Councilwoman Israel and seconded by Councilman Miller and moved for adoption. Carried by a unanimous roll call vote.

Resolution #14 of 2013: RESOLUTION SUPPORTING THE STISSING SPRINT TRIATHLON COMMITTEE'S REQUEST FOR A PERMANENT, YEAR ROUND SHARED ROADWAY AND BIKE COURSE TO INCLUDE THE INSTALLATION OF BICYCLE AND "SHARE THE ROAD" SIGNS.

It is hereby resolved by the Town Board of the Town of Ancram, County of Columbia, State of New York that:

WHEREAS, the Stissing Sprint Triathlon Committee met with the New York State Department of Transportation Planning Board with regard to creating a permanent, year round shared roadway and bike route, along a portion of roadway as outlined on Exhibit A (attached),

WHEREAS, the Stissing Sprint Triathlon Committee will meet with the Highway Superintendents of the town's of Pine Plains, Ancram and Gallatin for their input and support,

WHEREAS, the Town Board of the Town of Ancram, agrees that a permanent bike route will benefit the Town of Ancram economically and socially,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ancram does hereby support the Stissing Sprint Triathlon Committee's request for a permanent, year round shared roadway and bike course to include the installation of bicycle and "share the road" signs.

The following resolution was offered by Councilman Miller and seconded by Councilman Clark and moved for adoption. Motion carried by unanimous roll call vote.

Resolution #15 of 2013: Revoke wind turbine special use permits:

Whereas two special use permits were issued in 2010 by the Zoning Board of Appeals to authorize the construction and operation of wind turbines on Carson Road in Ancramdale, and whereas these special use permits were granted based on information, literature and representations presented by the applicants and their representatives which claimed that these wind turbines were "extremely quiet" and "almost silent", and whereas it has become apparent that during certain wind conditions these turbines make groaning and/or hovering helicopter noises that disturb the neighbors' peace and quiet, and whereas the neighbors in the area of these turbines have been complaining to the Town about the noises, and whereas the applicants have made efforts to mitigate the objectionable noises made by the turbine which have so far been unsuccessful, **therefore it is resolved**, that the Ancram Town Supervisor shall, working with the Zoning and Code Enforcement Officer, initiate actions to revoke the special use permits for the turbines on Carson Road under the provisions of the special use permits granted, which state that any permit which is issued based on misrepresentations, or failure to disclose material facts, may be revoked.

Donna Hoyt thanked Mr. Bassin for the town wide e-mail about her daughters lost dog that was found and returned unharmed.

A motion was made by Councilman Miller and seconded by Councilwoman Israel to adjourn the meeting at 9:05pm. Motion carried.

Respectfully submitted by,

Ruth Wittlinger, Deputy Town Clerk