

**Town of Ancram
Town Board
Regular Meeting
June 16, 2011**

Present: Supervisor Arthur Bassin Councilman James Miller
 Councilman John MacArthur Councilman Chris Thomas
 Councilwoman Madeline Israel Town Clerk Monica Cleveland
 Highway Superintendent James MacArthur

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

Mr. Bassin introduced Carl Jamieson, who is trying to earn his Eagle Scout award and would like to make a stone walkway to the flag pole in front of Town hall as his Community Service project. Mr. Jamieson laid out his plans and stated that the first step with the project is getting the okay from the Town Board to proceed. Councilwoman Israel asked how the project would be paid for. Mr. Jamieson stated that he would get donations and sponsors. A motion was made by Councilman MacArthur and seconded by Councilman Miller to allow Carl Jamieson to move forward with his plans to build a stone walkway to the town hall flag pole as part of his Eagle Scout project. Motion carried.

Miss Sydney Cleveland, daughter of town clerk Monica Cleveland, presented her winning 4-H presentation to the audience in observance of National Dairy Month. The presentation was an outline of the 6 major dairy cow breeds. The town board congratulated her on her success in the 4-H program.

A motion was made by Councilman Thomas and seconded by Councilwoman Israel to approve the May Town Board minutes and have them placed on the record. Motion carried.

Supervisor Report

Financial Report: Revenues and expenses continue on budget for the first five months of 2011, in both the Highway Department and Town Government. Ancram's total spending for the first five months was \$616,000. The Highway Department continues to stay on budget despite a combination of high fuel costs, the costs of the cleanup of the March ice storm and higher than expected snow removal costs during the first quarter. Cash in the bank as of 5/31/11 was \$1.2 million. Major investments coming up over the next few months include are the purchase of the new Case Loader for the highway department (about \$85,000), the conversion of the Milk Factory building to a salt shed (about \$50,000) and the purchase of another used plow truck (\$25,000). Based on revenue and cost trends so far this year, and spending about \$175,000 on capital projects, we expect to end the year with about \$500,000 in the bank.

Town Projects, Activities & Issues

1. **New playground:** Essentially completed, with some minor touch up to do to finalize the project. Congratulations for a job well done to the Youth Commission and all the Volunteers who helped out on this effort.
2. **Summer Kid's Camp:** Camp Director Ruth Thomas is taking applications. The Camp is scheduled to open on July 5. The A.N.N Memorial Day BBQ raised about \$2000 for the Ancram Kid's Camp, and about \$1000 for Animal Kind.
3. **2012 Budget Process:** We will start the 2012 budget cycle this month, as soon as I get the budget forms from the Accountant. I will develop a preliminary 2012 budget for your review that assumes no town property tax increase again in 2012.
4. **First garage loan repayment:** The first payment on our 10-year garage loan will be due in August. Principal (\$40,000) and interest (\$12,000) due totals \$52,000. We could repay more than the \$40,000 principal due if we wanted to -- we budgeted to repay \$80,000 in principal...but that was before we decided to spend \$40,000 on plow trucks and \$85,000 on a new loader, and before the 2% property tax cap came up. We will discuss this at next week's meeting.

County/State Issues

1. **Property Tax Caps:** Cuomo has proposed a 2% property tax cap for 2012. This will not affect the town much, as I plan to recommend that we keep town taxes flat again in 2012. At the county level, the 2% cap could cause some problems, as the 2012 county agenda for the Walmart move, systems investments, the court house renovation and routine equipment investments could exceed the 2% cap, unless the county identifies and implements substantial cost savings opportunities.
2. **County Manager:** The County Manager proposal has been presented in draft form to the BOS, will be formally presented to the County Government Committee at its June meeting, and will be proposed to the BOS at the July meeting. There is an active debate going on at the BOS on the pros and cons of the County Manager, and it's too close to call the vote at this point. I support the need for a County Manager, and believe a County Manager will help the County run better and save taxpayers money.
3. **Walmart Consolidation:** The County continues to explore the costs and issues related to moving about 450 county employees to the old Walmart building in Greenport. The next major milestone, which will happen in the next week or two, is to hire an architect to do the design so the project can go out to bid. This project was triggered by a need to move the Department of Social Services from its 28,000 sf rented space to somewhere else by the end of the year. The only option at this point is Walmart, a 125,000 sf building. Other options which have been considered but rejected are leaving DSS at its current location, or building a new building in Hudson. Total costs will not be known until after the design is done and bids are back, which will be late in the fall.
4. **Emergency Management Consolidation:** The Board of Supervisors voted last week to consolidate the County Emergency Management office into the County Sheriff's department. The Sheriff already had been providing facilities and manpower support for the Emergency Management Office. This consolidation was supported by the head of the Emergency Management Office and the Sheriff, and should be in the best interests of the County.

- 5. 911 Consolidation:** A proposal to consolidate the County 911 service into the Sheriff's Department also came up for discussion last week. This proposal was not well received by the 911 dispatchers or by other emergency responders like the fire companies or rescue squads that rely on 911. This proposal is not likely to be acted on for months, as more information is collected and the various interested parties are brought into the discussion.

Town Board

Mr. Bassin announced that all of the Town Board members have audited the books.

Councilwoman Israel stated that she and Councilman MacArthur have met regarding the fee schedule and both agree to leave it as is for this year.

Highway

Mr. MacArthur stated that they have finally finished chipping the brush from the ice storm. The department has graded all of the gravel roads and will be patching East Ancram to get it ready to pave in August.

Councilman MacArthur stated that in regards to the ball field, Taylor Rental will lease a sod cutter for \$65.00 an hour.

The Salt Shed is moving along. The committee has run into some problems where the roof is leaking in spots and some of the support beams have to be fixed. Mr. Bassin stated that at this time the committee is deciding whether to proceed or start over from scratch. The contractor feels it is cheaper to fix it. The project may go from \$50,000 to \$100,000 which Mr. Bassin stressed is still far cheaper than \$150,000 for a new shed.

Summer Program: Mr. Bassin announced that there will be a 3rd sign up for the program this Saturday from 10am to 12 noon.

ZRC Mr. Clark stated that the first 7 revisions have been presented to the County Planning Department and the Town Board. A public Hearing will be held on July 18, 2011.

Slott Land Agreement: Mr. Bassin stated that he has received a note from the CAC stating that they agree with the short form EAF on the Slott land transaction, so the Town Board can proceed with approving that deal.

The following resolution was offered by Councilman Thomas and seconded by Councilman Miller and moved for adoption:

- 1. Resolution #25 of 2011: Slott Land Transaction Negative Declaration:** Whereas the Ancram Town Board has declared itself the lead agency in terms of SEQRA review of the proposed land transaction with Dan Slott, and whereas the Ancram Conservation Advisory Council and Town Board has reviewed a short form EAF related to this transaction and determined there are minimal significant negative environmental impacts related to this transaction, therefore it is resolved that the Ancram Town Board make a negative declaration pursuant to the formal resolution below:

Action: Slott Land Deal

NEGATIVE DECLARATION - UNLISTED ACTION

DATE: JUNE 16, 2011

WHEREAS, the Town Board has determined that this action is subject to SEQRA 6NYCRR Part 617; and WHEREAS, the Town Board has determined that this action is an Unlisted Action pursuant to 6NYCRR Part 617; and

WHEREAS, the Town Board declared itself Lead Agency and conducted an environmental assessment according to SEQRA, 6 NYCRR Part 617; and

WHEREAS, the Town Board, after consideration of the Short Environmental Assessment Form, and analysis of the site, topographic map, aerial photograph, water features map, and roads/parcel boundary finds that authorization of the Slott Land Deal will have only minor adverse impacts on the environment. The determination that no significant adverse environmental impact will occur is supported by the following:

The Town Board has identified the relevant areas of environmental concern and compared the proposed action against the criteria listed in 617.7 (c) (1) (i – xii). The Board also considered the potential long-term, short-term, direct, indirect and cumulative impacts as per 617.7 (2) and has also assessed the likely consequence of the action in connection with the criteria of 617.7 (3) (i-vii).

The Town Board has identified the following relevant areas of environmental concern and analyzed these concerns as follows:

- i. Land Use. Approval of the Slott Land Deal will maintain the current land use pattern in that area (Town of Ancram Highway Garage facility), and not introduce a divergent or new land use in the area of Ancramdale.
- iv. Protected Water Resources and Surface Water Resources. There are protected wetlands and surface waters adjacent to the parcel included in this action. Removal of vegetation and grading will take place. However, the actual land disturbance activities will be well outside the 100' required wetland buffer. Further a series of catch basins and storm water detention ponds are already on site to service the existing highway facility. Grading of this .65 acre site will be done in a manner that causes storm water runoff to flow into these catch basins and detention ponds and not into the wetland. The topography of the land is such that there is a hill between the garage facility and the wetland that will further ensure that runoff does not flow into the wetland. All sand and salt will be stored inside. A vegetated buffer (trees and mid-story shrubs) will remain between the cleared area and the wetland.
- vi. Noise. The approval of this land deal will not create any additional noise above current ambient levels as the Highway Department is already there at that location.
- vii. Solid Waste. The approval of this land deal will not result in the creation of any additional solid waste and continued activities from the Highway Department will not result in any significant increase in solid waste generated within the Town.
- viii. Flora, Fauna, Vegetation and Habitat. The approval of this land deal and subsequent removal of .65 acres of forested land will result in the loss of habitat in that small area. However, forested lands similar to what is being removed will continue to remain undisturbed.

ix. Aesthetic Resources. The approval of this land deal will not cause any different or adverse changes in the community character as this is a continuation of an existing land use (highway garage).

NOW THEREFORE BE IT RESOLVED, that the Town of Ancram Town Board hereby declares that approval of the Slott Land Deal will not have any significant adverse environmental impacts; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes filing of this **negative** declaration, according to SEQRA, 6 NYCRR Part 617; and

WHEREUPON, this Resolution was declared adopted by the Town Board of the Town of Ancram.

Resolution was passed by a unanimous roll call vote.

The following resolution was presented by Councilman Thomas and seconded by Councilman Miller and moved for adoption:

Resolution #26 of 2011: Approval of Land Transaction Contract:

Resolved, that the Ancram Town Board authorizes the Town Supervisor to enter into an agreement with Dan Slott/Tucked in Farm to provide a right of way and easement over town garage land in exchange for .65 acres of land adjacent to the town garage pursuant to the detailed resolution below:

Resolution to approve a Land Transaction Contract:

WHEREAS, the Town of Ancram desires to acquire .65 acres of land adjacent to the town garage to expand the storage area available to the town highway department; and

WHEREAS, the .65 acres of land to be acquired is located at 32 Maple Lane, Ancramdale, NY, and bears the tax grid identifying number 220.00-1-18; and

WHEREAS, Dan Slott/Tucked in Farm has offered to give the Town this acreage in exchange for a permanent easement and right-of-way over the town garage site; and

WHEREAS, the land over which the easement and right-of-way would be granted is owned by the Town of Ancram and is located at 32 Maple Lane, Ancramdale, NY 12503 and bears the tax grid number 220.1-1-16; and

WHEREAS, the Town Board has been advised that the acquisition of the .65 acres of land is not subject to a permissive referendum; and

WHEREAS, the Town's acquisition of the .65 acres parcel will serve a public purpose in that it will provide much needed additional space for the Town Highway Department by expanding the on-site storage area available to the Highway Department; and

WHEREAS, the easement and right-of-way to be granted to Dan Slott/Tucked in Farm will be for the purpose of draining waters across the Town garage site lands and allowing ingress and egress for the purposes of maintaining the drainage culvert thereon; and

WHEREAS, granting this easement and right-of-way will not interfere with current or future town highway department operations; and

WHEREAS, the value of the land to be received by the Town represents fair and adequate consideration for the grant of the easement and right-of-way because, upon information and belief, the value of the land acquired exceeds the value of the right-of-way and easement to be granted by the Town; and

WHEREAS, the Town Board has determined that this action is subject to the State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617; and

WHEREAS, the Town Board has determined that this action is an Unlisted Action pursuant to 6 NYCRR Part 617; and

WHEREAS, the Ancram Town Board declared itself Lead Agency and conducted an environmental assessment according to SEQRA, 6 NYCRR Part 617; and

WHEREAS, the Ancram Town Board issued a Negative Declaration as its Determination of Significance under SEQRA and authorized that Town Supervisor to file this Negative Declaration as required by 6 NYCRR Part 617; and

WHEREAS, the granting of the easement and right-of-way is subject to a permissive referendum pursuant to Section 64(2) of the New York State Town Law; and

WHEREAS, as required by the NYS Town Law, the Ancram Town Board properly published a notice of the proposed granting of the easement and right-of-way in the Town's official papers, has not received a petition requesting that the matter be brought before a referendum, and the time period in which to present such a petition under the NYS Town Law is now expired; and

WHEREAS, the Town now desires to enter into a contract with Dan Slott/Tucked in Farm to acquire the .65 acre parcel and to grant the easement and right-of-way, a copy of which contract is attached to this Resolution as Exhibit A; and

NOW, BASED UPON THE FOREGOING, THEREFORE BE IT RESOLVED BY THE TOWN OF ANCRAM TOWN BOARD AS FOLLOWS:

Section 1. The Ancram Town Supervisor is authorized on behalf of the Town of Ancram to enter into a contract which grants Dan Slott/Tucked in Farm a permanent easement and right of way over town garage lands in exchange for .65 acres of land adjacent to the town garage, subject to legal review.

Section 2. The Ancram Town Supervisor is authorized on behalf of the Town of Ancram to secure title insurance on the .65 acres to be deeded to the town for a value of \$35,000.

Section 3. Upon the respective parties fulfillment of any preconditions to completion of the transaction, and the procurement by the Town of title insurance on the parcel of property to be acquired, the Ancram Town Supervisor is authorized on behalf of the Town of Ancram to execute the grant of easement and right-of-way and also execute any other documents incidental and customary to the acquisition of title to the .65 acre parcel by the Town and the grant of the easement and right-of-way.

Resolution was passed by a unanimous roll call vote.

Highway Handbook: Mr. Bassin stated that the Highway Handbook is almost finished, and that there will be a section added concerning annual performance reviews and job descriptions.

Financial Policy: The Financial Policy is completed and has been okayed by the FAC. No board members had any questions or comments.

Cell Tower: Mr. Roth stated that AT&T is very close to getting a contract with a property owner to build a cell tower. He stated that he has now begun to think about looking into bringing broadband to Ancram.

ZBA: The ZBA has 3 cases to look at on Jun 21st. Two are for farm stores and one is an Area Variance.

Youth Commission: The grand opening for the playground will be on Sunday, June 19th at 2pm.

Communications: There will be a newsletter in the next two weeks.

ZRC: The Committee is going through the use tables and hope to have more proposed amendments to pass on to the Town Board at the end of June.

Ag and Farmland Protection: The committee received \$12,500 of the grant money with \$6,250 more expected.

Town Historian: The town historian passed out posters for the upcoming exhibit at the Roe Jan Historical Society which will feature the civil war this summer. Lynn Perrella designed the poster.

Assessor: The assessor stated that the State has the Town of Ancram at 100% equalization.

Animal Control: There was one beagle picked up on Hall Hill road by Mr. Powell. Mr. Bassin also stated that people needed to continue to watch out for bears.

Councilman MacArthur asked if the board members were willing to help Carl Jamieson out with town money if he can't fund raise the entire amount he needs for the flag pole project. The other members were in agreement that they would.

Sue Bassin asked if there was a written schedule for the Fireman's Convention. Mr. MacArthur stated that the information would all be in the paper.

Adrienne Citrin stated that the Back Pack Program will be having a table at the Community Days. The program provides food for poverty children for the weekend.

The Board made the following budget amendments:

Budget Amendment #1 of June 2011

From A908 Appropriated Funds Balance: \$108,000

To 5130.4 Machinery: \$108,000

Budget Amendment #2 of June 2011

From A908 Appropriated Funds Balance: \$1,500

To 1335.4 Assessors: \$1,500

From A908 Appropriated Funds Balance: \$50,000

To 5132.4 Salt Shed Repairs: \$50,000

From A908 Appropriated Funds Balance: \$700

To 9050.8 Unemployment: \$700

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

The following resolution was offered by Councilwoman Israel and seconded by Councilman MacArthur and moved for adoption:

Resolution #27 of 2011: Code Enforcement Officer Salary Adjustment:

Whereas the salary for the Code Enforcement Officer/Building Inspector was set at \$18,000 for the 2009 budget, and whereas the compensation for the Code Enforcement Officer/Building Inspector was not changed to reflect this approved budget, therefore it is resolved that the Ancram Town Supervisor be authorized to pay the Code Enforcement Officer/Building Inspector the \$1000 of compensation for 2009 not previously paid.

Resolution passed by unanimous roll call vote.

The following resolution was offered by Councilman MacArthur and seconded by Councilman Miller and moved for adoption:

Resolution #28 of 2011: Highway Generator:

Whereas, it is essential that the town garage continue to operate when power from the grid is cut, and whereas, the highway department provides fuel for the Fire Company vehicles, and whereas the highway superintendent has sought and received bids for installing an emergency generator at the Garage, therefore it is resolved that the Highway Superintendent be authorized to accept the lowest credible bid for the emergency generator and have it installed, at a cost not to exceed \$7500.

Resolution passed by a unanimous roll call vote.

The following resolution was offered by Councilman Miller and seconded by Councilman Thomas and moved for adoption:

Resolution #29 of 2011: Public Hearing on Zoning Revisions:

Resolved, that the Ancram Town Board will hold a public hearing to review the first seven proposed amendments to the town's zoning law on July 18, 2011 at 7 p.m. at the Ancram Town Hall, 1416 County Route 7, Ancram NY 12502.

Resolution passed by unanimous roll call vote.

Councilman MacArthur announced that the golf course will hold a fundraising golf tournament on July 17th to help the Adopt a Family.

A motion was made by Councilman MacArthur and seconded by Councilman Thomas to adjourn the meeting at 8:05pm. Motion carried.

Respectfully submitted by,

Monica Cleveland

Ancram Town Clerk