

**Town of Ancram
Town Board
Regular Meeting
April 16, 2015**

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

The regular meeting of the Ancram Town Board was called to order at 7:00 pm by supervisor Bassin with a salute to the flag.

A motion was made by Councilman Clark and seconded by Councilman Miller to approve the minutes from the March, 19, 2015 meeting as read and have them placed in the record. Motion carried.

Supervisors Report

Town Issues

1. Financial Report – We ended March with \$1.2 million in the bank. Revenues and spending for the three months ending March 31, 2015 were normal, and slightly under the first three months of 2014. Highway spending this year has been about \$14,000 under last year, and general fund spending has been about \$3,000 under the same period last year.

2. Plow truck financing – We asked five banks to take a look at financing our \$400,000 truck purchase over five years. Our current bank, the Bank of Greene County, came in with the best proposal at 1.99% with a 90 day rate guarantee and no prepayment penalty. Our annual payment for the two trucks will be about \$80,000, which is the amount of our annual contingent account budget. Assuming the highway department contributes \$40,000 to the annual cost of the truck payments, we will be able to handle the truck payments with no tax increase and still maintain a \$40,000 annual contingent budget for “emergencies. We will probably take down the loan late summer or early fall 2015, so our first \$80,000 payment will be due a year later. As you may recall, we had been paying \$40,000 a year plus interest for the garage loan we took down in 2010, which we paid off last summer. That loan was at 2.99%. By year end 2015 we should have a cash reserve of about \$700,000, up from the \$632,000 we ended 2014 with.

3. Pool & Lawn Maintenance Bids - Only two bids...one for the pool & lawn combined from Boice Homecare at \$21,380, and one for the lawn only from Herman’s Lawn Care in Pine Plains for \$14,200. George and I will be checking references on Herman’s, and contacting pool companies next week to see if anyone is interested in bidding on the pool maintenance contract on a stand-alone basis. If not (and no one has ever wanted to take this on in the past, other than Boice Homecare), and if we want to open the pool on schedule this summer, I will be recommending we accept the Boice bid.

4. Revaluation Process – Assessor Ken Leggett has mailed “property cards” to all property owners as the first step in the town-wide revaluation process. As you will recall, the Town Board approved working with the County to provide the revaluation analytic services, to keep costs low. If we had to do this on our own and hire a revaluation consultant, our costs would probably be over \$50,000.

5. Charter Franchise Agreement Do-over - Charter has notified us that the franchise agreement extension they sent us to approve, which we approved last month following a public hearing, was not the correct document. They have sent us a revised document, and want us to approve this one this month. You have seen the revised agreement. Some residents have made the argument that we should not

renew the Charter agreement, because Charter has not been investing in upgrading their systems in our area to provide broadband. And while Charter holds the franchise, even though it's not an exclusive franchise, no other cable operator is going to want to come into the area. If we do not renew Charter, the theory is the 100 or so families who currently use Charter to get cable video programming could switch to DirecTV or Dish at about the same cost, and we would be in a better position to attract a cable operator from Pine Plains or Millerton who would be willing to invest more aggressively in an upgraded digital system that provides the "triple play" of video, telephone and broadband. Let's plan to discuss our options, which include extending the contract for only 1 year, to give us time to better understand the implications of not renewing.

County Issues

1. Airport - FAA approved the reclassification of the Airport from D II to B II, which reduces the required safety area (RSA) to 300 feet from 1000 feet. Implementing this will cost about \$200,000, not the \$3 million to \$4 million we were looking at if we had to do the 1000 foot RSA.

2. Pine Haven – BOS voted to sell Pine Haven to Premier. We are involved in negotiating the contract, and will apply to the NYS BOH for approval. The process could take a year. Premier will assume management responsibility for the PH facility over the next few months, and should be able to improve operations and the economics of the facility before they actually close the deal and take it over.

3. Government Efficiency Plan – As part of Governor Cuomo's tax cap & tax freeze program, municipalities (towns, villages, cities and counties), fire districts and school districts all have to file an "efficiency plan" by June 1, 2015, showing how they will achieve a 1% reduction in property taxes in 2017, 2018 and 2019. Property taxpayers in jurisdictions that file an acceptable tax saving plan by June 1 and stay within the 2% property tax cap will be eligible for rebates of any tax increases. The State is encouraging Counties to be the lead agency for these plans. Columbia County will need to identify about \$800,000 in savings. Ancram has to come up with \$8000. Fortunately, the County has made a series of cost savings decisions over the past few years which add up to over \$3 million a year, so we are in good shape. Savings have included: 1) sale of CHHA - \$500,000; 2) bid out property 7 liability insurance - \$400,000; 3) self-insure health insurance - \$1.3 million; 4) sale of Pine Haven - \$1 million. When town level savings are included, the total is likely to be over \$4 million.

Mr. Bassin also stated that the town audit will be complete within two weeks and there will be a report at the May meeting.

Mr. Bassin stated in regards to the Pool and Lawn mowing bids, that the thought is to either accept or reject all bids or to re bid with the bids being separate.

Councilman Clark suggested rebidding with another combined bid. Councilman Thomas said that he felt the town highway department should begin taking care of the lawns. Mr. Thomas also said that any pool company can maintain the pool. He felt that if they are being bid separately, then they should be accepted as such. Mr. Bassin stated that the town has the right to reject all bids and start over.

A motion was made by Supervisor Bassin and seconded by Councilman Miller to reject both bids and to bid the Lawn and Pool Maintenance again. Motion passed with the following roll call vote; Councilman Clark, Yes, Councilwoman Israel Yes, Supervisor Bassin Yes, Councilman Miller Yes, Councilman Thomas No.

Mr. Bassin asked whether the board members wanted to have a combined bid or a separate bid for the pool and lawn maintenance.

Mrs. Donna Hoyt questioned the fact that the board received two bids for the lawn and one for the pool. She felt it was unfair to rebid it. She felt the board should accept the lawn bid and rebid the pool.

Mr. Bassin made a motion to rebid the maintenance packet as a package deal as a combined bid as a one year contract. Motion seconded by Councilwoman Israel. Motion carried by the following roll call vote: Councilman Clark Yes, Councilwoman Israel Yes, Supervisor Bassin Yes, Councilman Miller Yes, Councilman Thomas No.

Town Board

Councilwoman Israel asked if the Town Board would again support the Roe Jan Ramble. The Board said that they would.

The following resolution was offered by Councilman Miller and seconded by Councilman Thomas and passed by unanimous vote.

Resolution #17 of 2015: Accept Bank Of Greene County Loan Proposal: Whereas the Bank of Greene County has submitted a proposal to allow the Town to borrow up to \$400,000 for five years at 1.99%, with a 90 day rate guarantee, for the purpose of financing the Town's planned purchase of two Kenworth trucks with dump body, plow and wing, and **whereas**, this proposal was the most attractive of the proposals from the four banks which were contacted, therefore it is Resolved, that the Ancram Town Supervisor is authorized to accept the proposal from the Bank of Greene County, and is authorized execute documents necessary to secure a loan for not to exceed \$400,000 for five years at 1.99% to finance the purchase of two plow trucks.

Mr. Bassin gave an update on the culvert study progress.

A motion was made by Councilman Miller and seconded by Councilwoman Israel to allow the Deputy Highway superintendent to attend Highway training. Motion carried.

FAC

The Fac discussed the following at the last meeting: the town pool, the proposed sewer grant and the financial history of the town.

Planning Board

It was reported that the Planning Board has been very slow.

Pool Planning Committee

Mr. Wilcox said that in the town there are 117 pools. The committee is still in statistical gathering mode.

The following resolution was offered by Councilwoman Israel and seconded by Councilman Clark and moved for adoption through roll call vote as follows: Councilman Clark Yes, Councilwoman Israel Yes, Councilman Bassin Yes, Councilman Miller Yes, Councilman Thomas Yes. Resolution carried.

Resolution #18 of 2015: Adopt Unsafe Building Law: Resolved, that the proposed Unsafe Building Law, Local Law #2 of 2015, is hereby adopted, and will become effective upon filing by the Town Clerk with the NYS Secretary of State.

Sewer Study

Mr. Gerry Fultz stated that the town had applied for a sewer study grant in the amount of \$30,000 with a matching in kind contribution

of \$6,000 by the town. This grant was awarded to the town. Mr. Fultz recommends that the town decline the grant for the following reason: Mr. Fultz felt that this grant will not take the town where it wishes to go in this area. He stated that the idea of a municipal septic/sewer system is not what the town needs.

Mr. Kit White stated that he felt that the grant should be accepted. He said that the grant will help the future of the hamlet and would allow a property owner to hook up to a "town system" from their private system. He stressed that he felt this was better for the future.

A motion was made and seconded to decline the grant for a septic study. Motion was carried by the following roll call vote: Councilman Clark Yes, Councilwoman Israel No, Councilman Miller Yes, Councilman Thomas Yes, Supervisor Bassin Yes.

Charter Communications

Mr. Bassin said that the board needs to think about the following things; should the contract be renewed for five years, renewed for one year or not renewed at all. Mr. Bassin explained that the town gets \$4500 a year from the franchise. The original agreement expires on 5/31/2015.

A motion was made by Councilman Miller and seconded to approve the following resolution and passed by the following roll call vote: Supervisor Bassin Yes, Councilwoman Israel Yes, Councilman Clark Yes, Councilman Thomas Yes, Councilman Miller Yes.

Resolution #19 of 2015: Approve revised Charter Franchise Agreement: Resolved, that the revised Charter Communications franchise agreement be approved for a term of 5 years.

RENEWAL OF FRANCHISE AGREEMENT BETWEEN THE TOWN OF ANCRAM AND CHARTER COMMUNICATIONS ENTERTAINMENT I, LLC

At a regular meeting of the Town Board of the Town of Ancram, Columbia County, New York, duly called, and held on the 16th of April, 2015, the following Resolution was proposed and seconded:

A FRANCHISE RENEWAL AGREEMENT

Between

The Town of Ancram, County of Columbia, State of New York

and Charter Communications Entertainment I,

LLC

FRANCHISE AGREEMENT

This Franchise Agreement is between the Town of Ancram, New York, hereinafter referred to as the "Grantor, Franchise Authority or Municipality" and

Charter Communications Entertainment I, LLC locally known as CHARTER COMMUNICATIONS, hereinafter referred to as the "Grantee or Franchisee."

WHEREAS, the Grantor finds that the Grantee has substantially complied with the material terms of the current Franchise under applicable laws, and that the financial, legal and technical ability of the Grantee is sufficient to provide services, facilities and equipment necessary to meet the future cable-related needs of the community, and

WHEREAS, having afforded the public adequate notice and opportunity for comment, Grantor desires to enter into this Franchise with the Grantee for the construction and operation of a cable system on the terms set forth herein; and

WHEREAS, the Grantor and Grantee have complied with all federal and State-mandated procedural and substantive requirements pertinent to this franchise renewal;

WHEREAS, the Board, in granting this franchise renewal, embodied in the agreement the results of its review and negotiations with Charter Communications and has determined that said franchise agreement and Charter Communications respectively, fulfills and will fulfill the needs of the Town of Ancram, NY, with respect to cable television service and complies with the standards and requirements of the New York State Public Service Commission (NYSPPSC);

Ancram, NY Renewal Agreement

NOW, THEREFORE, in consideration of the forgoing clauses, which clauses are hereby made a part of this franchise agreement, and the mutual covenants and agreements herein contained, the Franchise Authority and Grantee agree as follows: (see full agreement on file with the Town Clerk's office)

The following resolution was offered by Councilman Thomas and seconded by Councilman Miller to approve the following resolution. Carried unanimously.

Resolution #20 of 2015: Approve revised Employee Handbook: Resolved, that the Ancram Employee Handbook as revised be approved, subject to any minor final edits as proposed.

A motion was made by Councilman Miller and seconded by Councilman Thomas to approve the recommendation to appoint Samantha Mason as the Kids Camp Director. Motion carried.

A motion was made to retain Mitchell Khosrova as an attorney to provide legal services to the Town of Ancram. Motion made by Councilwoman Israel and seconded by Councilman Miller. Motion carried.

A motion was made by Councilman Miller and seconded by Councilman Clark to appoint Palmer Irving to the Board of Assessment Review and to attend training on 4/28/2015. Motion carried.

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

A motion was made by Councilman Miller and seconded by Councilwoman Israel to adjourn the meeting at 8:45pm. Motion carried.

Respectfully submitted by,

Ruth Wittlinger
Deputy Town Clerk