

**Town of Ancram
Town Board
Regular Meeting
January 15, 2015**

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

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

Deputy David Proper made a presentation of a \$250.00 check to Neighbors Helping Neighbors from the Columbia County Deputies Association.

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

Supervisors Report

Town Issues

1. Financial Report – The 2014 financial situation turned out better than we had expected. We ended 2014 with about \$630,000 in the bank, after prepaying the \$240,000 balance of the garage loan back in September, and before receiving the 4Q sales tax payment, which should be about \$65,000, and which we will receive late in January. Once we receive the 4Q sales tax money, our cash on hand will be about \$700,000. Our better than expected financial situation resulted from about \$95,000 in better than expected revenues (sales and mortgage tax receipts, building permit fees, CHIPS revenue) coupled with about \$50,000 of lower than expected legal, retirement fund and health insurance costs.

2. Subdivision Law – We will hold a public hearing on the proposed subdivision law at 6:45 on January 15, will do a SEQRA review on the law, and will consider this law for adoption at the February Town Board meeting, after we hear back from the County Planning Board.

3. Puppy Mill and Tethering Law –. Ann Rader and Tina Aiken plan to present their thoughts on specific puppy mill and tethering law language at the February or March meeting. I suggest we wait until we have had a chance to review their proposal before we decide if we want to develop a local law covering puppy mills and tethering, or if we want rely on the NYS Ag & Markets Law

4. Unsafe Building Law – Building Inspector Ferratto will have a list of the properties he would consider candidates for action under an unsafe building law. We will also review the criteria that would qualify a structure for action under the unsafe building law, and at what point in the deterioration of a structure the Town should act to demolish the structure at the property owner's cost. The important part of the proposed law is the provision that allows the Town to recover its costs if and when it is required to act to demolish a structure that has collapsed or has become a threat to public safety. The question is whether any of the buildings on Ed's list present enough of a public danger at this point to justify the Town taking

action to demolish or repair them. I will be circulating separately for your review two versions of an unsafe building law -- one is a modified version of the law we looked at last fall, and the other is the law from the Town of Cortland, which Paul McCreary of Morris & Associates has recently share with us.

5. Retaining Wall behind Simons – DOT had planned to fix the retaining wall behind Simons that holds 82 in place last fall, but did not get around to it. If that wall collapses, it could be a major problem.

County Issues

1. Airport – Still waiting for FAA approval to reclassify the airport from D II to B II. FAA has indicated it could be a 60 - 90 day process. County has hired Passero Associates to be the Airport consultant for the County for a five year term.

2. Pine Haven – Two private firms interested in buying Pine Haven will be invited to present to a public meeting in January or February. If we decide to sell, NYS Department of Health approvals could take up to a year. More important than the immediate and long financial benefits to the County of a sale to a private operator, a private operator skilled in operating nursing homes will be able to improve the scope and quality of resident services and care. All three interested private operators serve the same mix of Medicaid, Medicare and private pay residents as PH does, so access to Pine Haven by County residents should not change or be an issue we decide to sell to a private operator.

3. County Priorities 2015 – In addition to the possible sale of Pine Haven and the reclassification of the Airport to B II, the County will explore a variety of other issues in 2015, including 1) the possibility of appointing or electing a County Manager or Executive, 2) cost savings opportunities related to for coordinating or consolidating county and town services.

Councilwoman Israel stated that she has the paperwork from the office of the aging for the Town of Ancram 2015 Senior Citizen of the Year for Ancram. We are nominating Kay MacArthur, Woody Hoyt and George Wittlinger.

Councilman Thomas stated that the town has \$700,000 in the bank. He asked what the amount is projected for next year. Mr. Bassin stated that there will be about \$82,000 added to that figure. Mr. Thomas asked what the town would have to have in the bank before beginning to lower taxes. Mr. Bassin said that the Town policy is to have twice the amount of county, state and federal aid to the Town, which based on the \$400,000 we now get in county, state and federal aid, totals about \$800,000.

Town Clerk

The Town Clerk gave an update on the progress collecting 2015 taxes. As of this day, 25% have been collected – an amount of \$765,033.00. For the month of December, the Clerk's office sold 24 dog licenses.

Town Highway

The Highway Superintendent presented the 2015 284 agreement but stated that it may change some after the State budget is passed. He also said that the Highway Superintendents Association is lobbying the state for more funding.

Mr. MacArthur gave the town board some figures for a proposed new town plow/dump truck. Both of the trucks are on the Onandaga County bid. Both of the bids are with a plow and dump body. One truck is \$208,000 and the other \$209,000. The Mac would be a lease/purchase with First Niagara Bank. The International he is still getting information on but it is looking to be a bond. Mr. Bassin asked about a warrantee. Mr. MacArthur said that there is a 5 yr warrantee with the engine and that he knows that there is one on the rest of the truck, but he would have to review the specs. Councilman Miller asked if there was a warrantee on the dump and plow. Mr. MacArthur did not know. Mr. Miller said that the Mac is a better truck as the Internationals have been having known problems with their engines. Mr. MacArthur said with the Mac, he would have to take it to Albany to be fixed. Mr. Bassin asked how much in maintenance would be saved by buying a new truck. Mr. MacArthur stated it would be a lot. One truck is in the shop at this time and it is an \$8,000.00 job. Mr. MacArthur stated that he only got prices for 10 wheelers as the work being done by the trucks have become too heavy for the six wheelers. He hopes to get \$10,000 for the 1994 truck when we sell it. Mr. Thomas stated that this purchase would be 25% of the highway budget. He said he did not see himself agreeing with the purchase without a town vote. Mr. MacArthur said that the town's newest truck is 10 years old. The oldest is 21 years old. Councilman Clark asked how long before another needs to be replaced. Mr. MacArthur said about six years. Mrs. Israel asked what would happen if the town board did not purchase a new truck. Mr. MacArthur said that the town would continue to pay for the trucks they have to be repaired.

Donna Hoyt asked about the bad current condition of Skyline and Cottontail roads. She asked why they have not been fixed. Mr. MacArthur stated that the weather has been hard on them because of the freezing and then thawing. He stated that because of the budget constrictions, he cannot pave it. Mr. Bassin stated that the town has \$350,000 a year to use on roads. Mr. MacArthur stated that this is not enough. After some research, it has come to his attention that his money allotted for roads in the budget is down \$110,000 from three years ago.

Councilman Thomas stated that the town seems to be making large purchases each year. The town has paid for a new firehouse addition, a new fire truck, a new town garage. He feels at some point the town has to be caught up and slow down.

Mr. MacArthur said that it was his understanding that \$80,000 was to be set aside each year for capital equipment.

Mr. Thomas stated that by purchasing the new truck, the town is really only going to be saving 20% in the repair budget.

Emile Racenet felt that putting money aside for equipment never seems to work. Mr. Bassin said the town is in the habit of putting money aside, but not for a specific purpose.

Mr. Citrin suggested that the town do a 5 year purchase policy, such as the firehouse does. Mr. Thomas said that the fire department did have this plan, and said that tax money would not go up yet every year the fire district tax amount increases. Mr. Bassin said that with a five year plan, the town would have a continuous annual \$50,000 expense with 20 year trucks.

Adriene Citrin asked how the Superintendent chooses which roads to be fixed. Mr. MacArthur said that it is by which roads are in the worst shape.

Court

The Court year end is almost ready for review.

Planning and Zoning

There will be training on January 27, 2015.

CAC

The CAC gave their year end report.

Assessor

The assessor has met with the state and they have explained how sales are used for evaluations. The department is looking to do an internal revaluation without going through the entire process.

Mrs. Hoyt questioned the fact that the equalization is 10% over and asked if there was any way to get this number down. Mr. Bassin stated that this was the beginning of a process to get back to 100%. Mrs. Hoyt stated that she felt that the issue is large properties which are assessed for 1.9 million but sell for 5 million. But, the town's hands are tied because they cannot rise the property to the 5 million mark. Yet, she says, the sales are based on the 5 million number. Mr. Bassin stated that in this case the assessor can change the entire class of properties to reflect higher market prices, if the county and state agree.

Dog Control

The Animal control officer reported that the town had a great experience with placing a lost dog with the Fraiser Kennels in Pine Plains over the holiday. The kennel charged the owner \$20 for the one day the dog was in their facility, as opposed to the \$350 the town would have paid to the Columbia Greene Humane Society.

ZRC

Councilman Clark stated that he has no comments and referred to his memo which was enclosed with the revised law last month.

At this time in the meeting the Town Board looked over and discussed the SEQRA (full EAF) form for the Revised Subdivision Law. The Board concluded the proposed new subdivision law would not have any negative environmental impacts, and decided to adopt a "negative declaration" resolution related to the subdivision law.

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

Resolution #10 of 2015

NEGATIVE DECLARATION - TYPE I ACTION

Adoption of Updated Land Subdivision Regulations

WHEREAS, the Town of Ancram adopted a Comprehensive Plan in April 2010 pursuant to Town Law 272-a; and

WHEREAS, the Town Board appointed a Zoning Review Committee and tasked them to draft amendments to the July 1972 Town of Ancram Zoning Ordinance and 1994 Land Subdivision Regulations to be consistent with the adopted Comprehensive Plan, and

WHEREAS, the Zoning Review Committee developed such language, and subsequently submitted such language to the Town Board for review and adoption; and

WHEREAS, the Town Board conducted an environmental review on the above described action as part of the required adoption procedures and a negative declaration was declared; and

WHEREAS, the Town Board has submitted the proposed Subdivision law to the Columbia County Planning Board as required by NYS General Municipal Law 239-m and the proposed action does not require any other permits or approvals from other State and Federal agencies prior to adoption; 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 Full Environmental Assessment Form Part I and Part II finds that the proposed local law:

- * Fully implements the recommendations made in the April 2010 Town of Ancram Comprehensive Plan and thus assists the Town in meeting their environmental, cultural, agricultural, and historic protection goals as outlined in that plan.
- * Updates regulations to be consistent with New York State Town Law 276, 277, and 278 procedures.
- * Offers additional protection to the environment by:

- o Use of updated and expanded definitions, that now include terms including, but not limited to open space, rural character, sensitive environmental features and areas, steep slopes, traditional neighborhood, and buffer.

o Enhancing the purpose statements, that now specifically include the need to protect rural and aesthetic character, retain natural areas, minimize disruption to natural environment and mitigate adverse environmental impacts.

o Incorporating use of the open space conservation subdivision method.

o Enhancing design standards for subdivisions including:

* Enhanced stormwater management requirements

* Coordination for environmental protection standards with those outlined in the zoning law.

* Requiring major subdivision to evaluate site conditions for flora and fauna.

* Avoidance of fragmenting forests.

* Authorizing extended use of buffers to protect wetlands.

* Protection of farmland soils to the maximum extent feasible.

* Minimizing disturbance on areas with steep slopes > 15%.

* Enhanced assessment of groundwater resources and potential impacts.

* Updated street standards that can result in less disturbance and footprint of roads on the environment.

* Expanded submittal requirements so that the Planning Board has more data and information on the environment of a proposed subdivision.

NOW THEREFORE BE IT RESOLVED, that the Town of Ancram Town Board hereby declares that adoption of the updated Town of Ancram Land Subdivision Regulations described herein, will not have any significant negative environmental impacts; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes filing of a negative declaration (attached hereto), and file a notice in the Environmental Notice Bulletin according to SEQRA, 6 NYCRR Part 617; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute the Full Environmental Assessment Form.

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

Mr. Bassin stated that the Pool Committee will give their recommendation at the February or the March meeting. His impression is that they are going to recommend leaving the pool at its current site.

Mr. Bassin said that he has two possible versions of a Dangerous Buildings Law. He feels that they can be consolidated and he will give the board a revised version. Councilwoman Israel stated that she feels the language asking that the buildings be boarded up be left in the law. Mr. Clark said that he feels the laws should be consolidated and that he does not see where broken glass or open doors make a difference. Mr. Miller said that he does not feel the need for either law. Mr. Thomas had no comment. Mr. Bassin commented that he would like a law to allow the town to recover costs incurred by the town if the town ever had to demolish and remove a building because it was a danger to public safety, but not one that is going to be aggressively used to clean up run down or uninhabitable buildings. He said that at this point, public safety has not been an issue.

Mr. Bassin spoke about the sewer study grant. He said that Gerry Fultz is working on the scope of the work.

Mr. Bassin spoke on the puppy mill and tethering laws that have been proposed to the town. Mr. Bassin said that those looking for the town to pass this law are working on the language. Mrs. Citrin asked if there were state laws which covered these issues. Mr. Bassin said that there are regulations through Ag and Markets. There is not a lot of support on the board for additional town puppy mill and tethering laws, and the board fears that if passed, enforcement will become an issue.

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

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

A question was raised about the sewer plan and what it would entail. Mr. Bassin said that if it was to become a district, it would be on the tax bill. If not, then the costs would fall on the owners.

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

Respectfully submitted by,

Monica R. Cleveland

Ancram Town Clerk