

**Town Board
Town of Ancram
Regular Meeting
February 19, 2009**

Present:	Supervisor Thomas Dias	Councilman John
MacArthur	Councilman Robert Mayhew	Councilman James
Miller	Councilwoman Donna Hoyt	Town Clerk Monica
Cleveland		

Supervisor Thomas Dias called the regular meeting of the Town Board to order at 7:02 PM with a salute to the flag.

A motion was made by Councilman Mayhew and seconded by Councilwoman Hoyt to approve the February 10, 2009 Special Meeting minutes, the February 5, 2009 Emergency Meeting and the February 5, 2009 Town Board Workshop meeting as read with the addition of the work "interest" following the \$264,000.00 figure in the Special Meeting minutes. Motion carried.

The following financial report was read by Supervisor Dias:

Balances in the following accounts as of 1/31/2009:

General Checking- \$3,581.99
General Savings- \$257,146.70
T & A Checking- \$33,993.83
Capital Equipment- \$19,622.75
Highway Savings- \$51.22
Highway Checking- \$23,741.31
CDBG- \$1,000.00

A motion was made by Councilwoman Hoyt to accept the financial report as read. Seconded by Councilman Miller. Discussion: Councilman Miller asked why the medical insurance line was already at 61%. Clerk Monica Cleveland pointed out that the insurance is a set amount each month and does not fluctuate. With no further discussion, Mr. Dias called the vote. Motion carried.

Mr. Dias informed those gathered that the town board is holding monthly workshops on the 1st Thursday each month. These workshops are open to the public. Mr. Dias stated that the board will be holding a Public Hearing on Saturday the 21st to discuss with the public the proposed new highway garage.

Old Business

Mr. Dias stated that he has spoken to Mr. Roth about the cell tower committee. Mr. Roth stated that there may be a way for Verizon users in the area to lodge a complaint and once the town is informed of this action the information will be put on the town website and in the newsletter. Mr. Dias gave thanks to Jane Shannon and Councilman Mayhew for their work on the newsletter.

Mr. Dias stated that the town board needs to set up a public hearing for the real property transfer for the section of land that the town owns but is being used by the Fire District. The board decided to hold the Public Hearing on March 5, 2009 at 5:30pm prior to the Town Board Workshop. Town Clerk Monica Cleveland will publicize this.

Mr. Dias stated that Town Attorney Jason Shaw has not yet given an answer to the American Home Mortgage notice.

Mr. Dias informed the board that the Carter Communications Company has filed for bankruptcy protection. Mr. Dias wondered if this would impact the contract negotiations. Councilman Miller stated that the revenue the town receives from the company may be held up due to the fact that the town is technically a creditor to the company.

Mr. Dias stated that the board is working on setting up the Ethics committee. Councilwoman Hoyt stated that Mr. Jack Lindsey was asked to serve and that due to other obligations he had to decline. Mr. Dias stated that he has spoke to Ron VanTassel and he has agreed to be on the committee. Councilman Mayhew stated that Mary Ann Roche is interested in serving. Mr. Dias stated that he will serve as the Town Board member on the committee. He stated that the he has looked at the county ethics law as well as laws from other towns. He feels that the town should have a law that does not stop people from serving who would like to.

Mr. Dias stated that he is following up with the Boyles boundary line issue. He would like to meet with the Gallatin supervisor as well as the Gallatin Assessor and the Ancram Assessor.

Mr. Dias stated that he received paperwork from the County Planning and Economic Development Department and that the town was informed of possible stimulus money that can be applied for. Mr. Dias has handed the paperwork to all of the department heads and stated that the paper work has to be returned to the county no later then tomorrow. Mr. Dias was informed by Mr. Flood at the County level that there have already been 14,000 applications handed in at this point. Councilman Miller asked if the board might consider setting up a committee to pursue other grant and stimulus offers. Mr. Dias stated that he has received interest in this from Art Bassin and Mike Cawley. The board will look for others interested to serve on this committee. Mr. Miller asked what the grant office that the town currently employs actually does. Mr. Dias stated that they apply for grants in the towns' interest. Mr. Dias felt that once this committee is in place, the office can be better monitored.

Mr. Dias introduced Jeanie Scottie from the Community Rescue Squad. Ms. Scottie stated that the rescue squad is at the meeting to discuss with the board the shortage the town made in funding from last year. She stated that she felt that the town and the squad could work something out. She stated that in 2009 they started the year in the red. She stated that the rescue squad will not survive without the towns support. At this time they are working with only on ambulance, the second in the shop with a \$5,000.00 repair. She stated that they have filed several grants and have spoken to Gellibrand's office. Councilwoman Hoyt stated that the town has already overpaid them by \$11,000.00 from last year. She read the following brake down of funding from Ancram: \$63,807.00 was asked for in 2008, \$75,000.00 was awarded, \$11,193.00 extra was given in 2008. Ms. Scottie stated that she was told by former Councilman Roberts at the Ancram Angels Christmas party in 2007 that the town was going to give the rescue squad \$75,000.00. Mr. Dias stated that the budget was approved with \$64,000.00 for the rescue squad and that the board can only pay what had been approved in the budget. Ms. Scottie stated that for 2009 the rescue squad asked for \$64,982.00. The town budgeted them \$32,000.00 giving a shortfall of \$32,982.00. Minus the \$11,193.00 this leaves Ancram starting off in the red for funding at an amount of \$21,789.00. Mr. Dias stated that he does not want to see the rescue squad to go out of business but that the economics are hard now and that played into the budget. He stated that the county is working on a remedy for this as well. Ms. Scottie stated that she has worked for six years on a task force with the county and has doubts that they will step in to help. She stated that the tax district will help but while they were hopeful that this would be resolved by next year, they are now told it will be no sooner then 2011. The tax levees will only go into effect after legislation is passed and several town meetings are held. Councilwoman Hoyt asked why Claverack does not give to the program. Ms. Scottie stated that she has tried everyway to contact them and has gotten no response. Ms. Scottie emphasized that Ancram is only paying for their share and no one else's. Mrs. Hoyt questioned Copake's amount and if they paid it in entirety. Ms. Scottie stated that Copake's amount increased to \$154,020.00. She informed the board that Copake services the vehicles, sells them fuel, gives them storage space and keeps them maintained snow removal wise. Copake is trying to work towards their full amount. Mrs. Hoyt stated that the amount in addition to what was already budgeted is \$32,982.00 but stated that \$11,000.00 has to be credited for the prior mistake. Ms. Scottie stated that this was acceptable. Mrs. Hoyt emphasized that the reason for the initial cut to the rescue squad was to try and keep the rate per thousand low for the town residents paying their taxes. Councilman Miller asked how the tax district would work, if there would be a weighted system. Ms. Scottie stated that this has not been completely worked out yet but feels that there will be people appointed form each town to serve on the committee.

A motion was made by Councilwoman Hoyt and seconded by Councilman Miller to allow the rescue squad/ ambulance account 4050.4 to be increased by \$21,789.00.
Motion carried.

Supervisor Dias drew the boards attention to proposed Local Law #1 of 2009 A LOCAL LAW CREATING THE POSITION OF ANIMAL CONTROL OFFICER. The board

decided to hold a public hearing for this proposed law on March 19, 2009 at 6:30pm followed by the regular town board meeting.

A motion was made by Councilman Mayhew to appoint Gary Dietch the Town of Ancram Dog Control Officer and end the relationship with the current Dog Control Officer. Mr. Dias asked for discussion and there was none. Motion Carried. Mr. Dias stressed that once the Animal Control Officer Law passed, Mr. Dietch would become the Animal Control Officer.

Councilman Miller asked what the amount of pay was. Mr. Dietch stated that he was asking for \$280.00 a month. This would include kennel services if a dog was picked up. Mrs. Hoyt asked what happens if no one claims the dog. Mr. Dietch stated that it would then be taken to the SPCA or the Pine Plains vet. Mr. Dias reminded those gathered that there will be a rabies clinic on March 7, 2009 at the Ancram Town Barn.

Privilege of the Floor

Mr. David Boice asked if the Fire District could use the Town of Ancram Grant Writing Office. He stated that he has asked this already and gotten no response. Mr. Dias stated that he will have someone come down to the Town Hall from the Grant Writing Office and meet with the Fire District.

Mr. Mike Citrin stated that he was misquoted in the Ancram Newsletter. He stated that his plan was quoted at \$900,000.00 and that the actual figure is \$685,000.00. Councilwoman Hoyt stated that this would be explained at the Public Hearing. Mr. Citrin stated that everything was included in his figure. Mrs. Hoyt stated that his figure does not include a retaining wall, a salt shed and crane costs. She stated that on Saturday the amounts can be gone through step by step. Mr. Citrin suggested that the board read the Register Star article and see his amount completely broken down. He stated that the figures for the salt shed were not asked for but that he has them. He stated that even with those figures the amount does not total \$900,000.00.

Mrs. Leah Wilcox asked the purpose of the Highway Garage public hearing. She asked if it was possible to have the proposals on the town website by Saturday. Mr. Dias stated that there will be packets available at the meetings but there will not be time to have them placed on the website. Mrs. Wilcox stated that there are many who can only make it on Saturday and would like to analyze the proposals prior to the meeting. Mr. Dias stated that there would be no time to have it all on the website before Saturday but definitely will be available for the second hearing. Mrs. Wilcox stated that this does not help those coming on the Saturday. She asked Mr. Dias to explain if and what will be voted on. Mrs. Hoyt stated that the meetings are for information from the public and that the board will welcome all the information they can get. Mrs. Wilcox asked then if the meetings are meant more for information then proceeding to voting. Mrs. Hoyt stated that the board would like to towns input and that they may have used the wrong name for the meetings but the board is new and still learning.

Mr. Terry Boyles asked if the town has heard anything on his town line issue. He stated that the town should be informed that they are losing tax revenue to the town of Gallatin. Mrs. Hoyt stated that she felt this has become a town issue. Mr. Boyles stated that he has been to real property, to the assessors and has not made any headway. He asked if the Town Board of Ancram will meet with the Town Board of Gallatin. Mr. Dias stated that he will make it a point to meet with the Gallatin Supervisor and Assessor. He stated that he has spoken to Suzzete Boye in the County Real Property and has been told that the County has changed its mapping and is going to be using straight lines. The Town Attorney stated that she thought that the county has no right to change the town lines.

Mrs. Jean Brant asked the board if they have looked through the town minutes from the previous years regarding the Rescue Squad issue and the over paying of \$11,000.00. She stated that she felt it was not fair to blame someone who was not at the meeting to defend themselves. Mrs. Hoyt stated that the minutes have been looked at and the \$64,000.00 was what was authorized. Mr. Emil Rancet stated that he was at the meeting where the ambulance squad was discussed and the board only approved \$64,000.00

Councilwoman Hoyt stated that there has been a problem with Mr. Gerry Simons picture and the fact that it has to be taken down at the meetings in order for the projector to be used. She stated that she would like to suggest a possible spot for the picture and discuss it with Mrs. Barbara Simons. She stated that the picture could possibly be placed with the plaque that Councilman MacArthur is ordering of all of the past supervisors. Mrs. Simons suggested that the board buy a screen to use instead of moving the picture. She stated that there is already a hole in the wall. She stated that this would be the more respectful thing to do. Mr. Jim Stickle stated that he and some other residents would be willing to purchase a pull down screen to be hung above the picture that can be pulled down when needed.

New Business

Mr. Ed Ferratto, the Town of Ancram Building Inspector, addressed the board. He stated that he would like to continue his education and keep his certification. He requested permission to attend the 14th annual conference for ZEO's in Lake Placid NY. He stated that this will allow him to get all of his certification at one time. It will take place March 2 through the 5, 2009. A motion was made by Supervisor Dias and seconded by Councilman Miller to allow Mr. Ferratto to attend class in Lake Placid NY during the month of March. Motion carried. Mr. Dias stated that the towns of Copake and Hillsdale, where Mr. Ferratto is also employed, has paid for these classes in the past.

Mr. Art Bassin gave the following update on the Comprehensive plan. He stated that the Comp Committee held four workshops in the last two weeks. He stated that the changes will be added to the plan and that a revised plan will be available by the end of March. He hopes to hold the public hearings in April and present a draft to the Town Board in May. He stated that the CDBG Team has spent two meetings discussing the approach to the development of an economic plan for Ancram and is focusing on the development of

a short term plan to implement some of the CDBG ideas. The Committee is still waiting for the Farmland Protection Plan Grant funding and the contract from the NYS Department of Ag and Markets. Councilman Miller stated that he was disappointed with the small turnout at the workshops.

Supervisor Dias read the following proposed fee schedule update:

Building Permits	\$4.00/\$1,000.00 min. of \$25.00
Renewal of Building Permit:	50% of original fee
C of O/ Compliance:	\$25.00
C of O/ Compliance for outstanding or expired permit:	\$50.00
Certificate of Inspection:	\$75.00
Temporary C of O (3 months):	\$25.00
For good cause- allow an extension for 3 months only:	\$25.00
Temp C of O that expired (for 3 months only):	\$25.00
Outstanding Temp. Co of O that expired:	\$25.00
Title Search- per building:	\$35.00
Demolition permit- Per Building:	\$25.00

Planning

Minor Subd. Application:	\$100.00
Advertising:	\$25.00
Per Lot:	\$50.00
Major Subd Application:	\$300.00
Advertising:	\$50.00
Per Lot:	\$50.00
Site Plan Review:	\$100.00

Zoning

Application:	\$50.00
Area Variance:	\$75.00
Use Variance:	\$150.00
Special Use Permit:	\$150.00
Gravel Mine:	\$150.00

Clerks Office

Dog License spayed/neutered:	\$6.00
Unneutered/Unspayed:	\$14.00
Marriage License (if not state mandated) :	\$40.00
Certified Copies:	\$10.00
Mass Gathering Permit:	\$500.00
Returned Check Fee:	\$25.00
Photocopies:	.25cents

The Board also adopted the following fee; \$75.00 for a property owner to pay to conduct office procedures and necessary inspections in cease and desist orders, stop work orders and to remedy violations and have them removed from the property file. The board also adopted a fee of \$100.00 for any inspection of more then 2 of the same item.

Councilman Mayhew stated that if the building department fails the owner for one item

and upon the second inspection fails them for a different item, then there is no fee. It is only charged if the owner does not fix the initial failure and the inspector has to return numerous times for the same item. Councilman Miller also proposed charging \$100.00 for a driveway permit. The board agreed. A motion was made by Councilman Miller and seconded by Councilman Mayhew to adopted the fore mentioned fee schedule to be effective immediately. Motion carried.

Mr. Dias stated that Mr. Stickle, the Planning Board Chair is looking to have a key made for himself for the back vault room. Clerk Monica Cleveland stated that the vault is a secure area that is under her jurisdiction and while she understands that the planning board has documents that need to be stored in this area, she does not know the protocol of who should be allowed access. Mrs. Cleveland will do some research into the area. Mr. Dias suggested gating of the area of the vault that holds the town clerks documents. The clerk and supervisor will speak to George Wittlinger the building manager.

The following resolution was offered by Supervisor Dias, seconded by Councilwoman Hoyt and moved for adoption:

Resolution #9 of the Year 2009: Resolution Urging the Pine Plains Central School District Board of Education to Rescind the K-2 3-5 Reconfiguration Plan

WHEREAS: the Pine Plains Central School District's decision to reconfigure the elementary schools could have a lasting impact on the students;

WHEREAS: the students grades K-5 will have to endure longer bus rides;

WHEREAS: we commend the Pine Plains Central School Board of Education for exploring ways to reduce costs, we believe that there are other options to reduce costs without having negative effects on the students;

RESOLVED: That the Town Board of the Town of Ancram does hereby urge the Pine Plains Central School Districts Board of Education to rescind the Elementary K-2 3-5 Reconfiguration Plan and to explore other options to reduce said costs that will minimize the negative impact on the students.

Resolution #9 of 2009 passed by unanimous vote.

The following resolution was offered by Supervisor Dias and seconded by Councilwoman Hoyt and moved for adoption:

Resolution #10 of 2009: Resolution establishing a Senior Commission.

WHEREAS the Town Board of the Town of Ancram feels it is in the Municipality's best inters to establish a Senior Commission.

NOW, THEREFORE

- (1) Creation. It is hereby declared that the public welfare and interest of the citizens of the Town of Ancram will best be served by establishing a commission for seniors.
- (2) Composition. The commission shall consist of 7 members appointed by the Town of Ancram with two year terms until such time that the Town Board established a rotating term schedule. To the extent possible, the members shall represent a cross section of the community and possess some of the following qualifications: (a) substantial experience in areas that would be beneficial in carrying out the purposes of the commission; and (b) ability to devote the time necessary to the business of the commission.
- (3) Selection of Officers. The members of the commission shall appoint their own Commissioner as well as any necessary officers.
- (4) Meetings. The Town Board shall designate the time and place for the first formal meeting of the commission. After its first meeting, the commission shall establish its meeting schedule. Special meetings may be called by the Commissioner, or in his/her absence, the Vice-Commissioner, or upon the request of a majority of the members of the Commission. All meetings shall be recorded in minute form and records of each meeting kept on file.
- (5) Voting. A quorum shall be constituted by a single majority of the Commission members. The Commissioner or the presiding member of the Commission shall vote on all matters of business considered by the commission.
- (6) Appointment of Committees. The Commission is authorized to appoint committees from its membership or the community at large. Said committees' function shall be fixed by the Commission at the time of appointment. Committees may be standing or ad hoc in nature and shall perform such duties as may be assigned by the commission.
- (7) Terms of Embodiment. The Town Board shall be entitled to such periodic reviews and reports as to the progress of the Commission as it may, from time to time request.
- (8) Replacement of Members. Any member of the commission may be replaced by the Town Board at any time when, in the opinion of the Town Board, such member has failed to adhere to the requirements of this resolution or has failed to abide by the terms and conditions of the Charge as referred to above.
- (9) Purpose and Powers *The mission of the Town of Ancram Senior Commission is to provide wholesome and safe leisure service programs and facilities to Ancram residents of all ages and abilities. To provide quality service to meet the recreational and leisure needs of the community. We will strive to enrich and to improve the well being and quality of life for present and future generations.*

The Senior Commission will provide facilities through sound planning, development, maintenance and preservation of parklands, and through the development of quality leisure services, programs and activities.

A Senior Committee to consist of seven members is hereby established in and for the Town of Ancram pursuant to section 243 of the General Municipal Law, with

all the powers and subject to all the responsibilities of local authorities under Article 13 of the General Municipal Law.

Resolution #10 of 2009 carried unanimously.

The Following names were suggested and read by Councilman Mayhew: Immogene Morey, Madeline Israel, Donald Wheeler, Jim Evers and Caroline Garbarini. The following persons also showed interest: Grace Roe, Barbara Simons and Kay MacArthur. Mr. Mayhew suggested allowing the committee to elect their own chairperson. Mrs. Barbara Simons asked why the town couldn't have one committee for both the youth and senior commissions. Councilwoman Hoyt stated that the board would like to see the senior commission do activities geared towards the seniors. But, she suggested, the commissions can work together and have joint activities if they would like.

Supervisor Dias stated that the St. Johns Lutheran Church is under consideration Historic recognition.

Supervisor Dias read the following petition to the Board: *We, the undersigned, are very concerned about the traffic of heavy trucks and equipment recently on Roche Lane and Roche Drive. As stated in our petition, Concerned Citizens Petition, delivered to the Town of Ancram on June 19, 2008, our roads are narrow, winding and often unpaved. They are simply unsuitable for heavy truck traffic. We fear for the safety of our children, our neighbors and ourselves. Very truly yours, David Webb, Nancy Webb, Michael Citrin, Adrienne Citrin, Michael Barton, Donna Barton, Candy Mason, Patrick Mason, Janice Stickle, Baxter Stickle, Larry Ruckerfeller, Frances Ruckerfeller, Greg Kuttles, Amanda Kuttles, Alyson Kozlowski & David Kozlowski.* Mr. Dias asked for comments from the Board.

Councilwoman Hoyt asked what the reason was for Highway supplies being stored on the Mathews property. Mr. Mike Citrin also wondered why were Copake Trucks hauling Ancram materials. Councilman MacArthur stated that the town has always stored items in locations other than the Town Barn. This is due, he stated, to the small amount of storage space on the town property. Mr. Citrin stated that the children's Christmas party had been a liability during the holidays yet the town can haul material in large highway trucks up a right of way. Mr. Dias stated that the road is a town road until Mathews property line. Mr. Terry Boyles stated that it was a private road. Mrs. Hoyt stated that the Highway Superintendent was not available to answer the questions. Mr. Dias stated that this would all be spoken about at the Saturday meeting.

Mr. Dias stated that he received a resignation letter dated 1/15/2009 from Youth Commission Commissioner David Boice, effective immediately.

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

Privilege of the Floor #2

Mr. James Stickle asked the board why Mr. David Boice is resigning once again. Mr. Boice stated that he is embarrassed by the issue. He stated that on several occasions he has been handed copies of the ethics law and told that he cannot be on the commission and work for the town. Councilwoman Hoyt asked if Mr. Boice would stay on the Youth Commission until the Ethics situation is cleared up. Mr. Boice stated that he is resigning but will stay an active participant in the Youth Commission. Councilman MacArthur stated that the board has to accept the resignation.

Mr. Boice asked who was on the task force from Ancram in regards to the proposed tax district for the rescue squad. Councilwoman Hoyt stated that at this time the members are Jack Lindsey and John Perella.

Mr. Bob Wilcox asked the board where the permission forms for the Youth Commission are and if they are ready for use. Mr. Dias stated that he has them.

Mrs. Jen Boice stated that the Fire District has a grant that they would like to apply for that has to be handed in by March 15, 2009. They need to speak to the grant writing team before the next meeting. Mr. Dias stated that he will speak to them.

A motion was made by Councilman Miller and seconded by Supervisor Dias to allow the Town Historian to purchase the second file cabinet promised to her last year. Motion carried.

Mr. Perry Miller stated that the materials that Mr. Jim MacArthur is stockpiling at the Mathews property was \$75.00 cheaper for a short time and that this was the only available place to stockpile it. Councilwoman Hoyt stated that she will ask him.

Mrs. Lynn Miller asked if the Highway presentations will be the same at both meetings. Mrs. Hoyt stated that they will be. Mr. Dias stated that they will be on the website as well.

A motion was made by Councilman Miller and seconded by Councilwoman Hoyt to adjourn. Motion carried.

Respectfully Submitted by,

Monica Cleveland
Town Clerk