

**Town of Ancram
Town Board
Regular Meeting
November 20, 2014**

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

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

Mr. Bassin introduced Mr. Wes Powell the town Animal Control Officer. Mr. Powell gave an overview of how he would handle a dog census. Mr. Powell will get a tax roll list and a registered voter walking list. He will take the census road by road. He will go door to door and will return if there is no answer. People will have 10 business days to license their dogs. The town board discussed the fact that the Town Clerk has made a form that the officer can use which will allow the residents to register the dog through the mail so as to better facilitate them. Mrs. Cleveland stated that since the last town board meeting 26 dogs had been registered. Mr. Powell stated that he will also follow up with court appearances.

A motion was made by Councilman Miller and seconded by Councilwoman Israel to approve the minutes of the previous meetings and have them placed on record. Motion carried.

Supervisors Report

Town Issues

1. Financial Report – Full year financial situation is looking stronger than expected. We ended October with \$648,000 in the bank, after receiving \$73,000 in 3Q sales tax revenues. We expect to receive about \$150,000 in highway aid from the State by year-end, to reimburse us for highway repair work already done, and about \$28,000 in mortgage tax payments. We have estimated expenses of about \$200,000 by year end, \$50,000 of which is the Town's annual contribution to the NYS retirement fund. The cash reserve balance by year-end 2014 should be about \$650,000, which is about \$100,000 more than we expected after paying of the \$240,000 garage loan. The "unexpected" \$100,000 additional cash results from about \$60,000 in better than expected sales and mortgage tax receipts and building permit fees, coupled with lower than expected legal, retirement fund and health insurance costs.

2. Consolidated Zoning Law – We will consider the consolidated zoning law for adoption at the November 20 Town Board meeting.

3. Subdivision Law – We should have a draft of the revised subdivision law at the November Town Board meeting , and will consider that law for adoption at the December Town Board meeting.

4. Pool Planning Process - A committee has been set up to compare costs and feasibility of refurbishing the current pool and pool facilities & ball field at Blass Park versus building a new pool & ball field at Town Hall.

Committee members include Bob Wilcox, Gerry Fultz, Jack Seiber, David Boice and Colleen Lutz. The Committee has requested money to retain Joe Luviene to assist with the feasibility and cost analysis.

5. Dog Census – Wes Powell will be at our 11/20 Town Board meeting to review how he will go about the dog census. Dog license applications have been circulated to the email list, and posted on the town web site.

6. Outside Audit – I hope to have two proposals by our December TB meeting.

7. 2015 Town Budget – We adopted the 2015 Budget at the special meeting on 11/11. Taxes are budgeted to be flat, for the fifth year in a row, while budgeted 2015 expenses and revenues are both slightly down from 2014 budgeted levels.

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.

2. Pine Haven – We have received three proposals from private operators interested in buying the Pine Haven nursing home from the County. The County will review these proposals over the next month or so, and will receive presentations from each of the firms interested in acquiring the nursing home. No timetable yet for a decision, but even if we decide to sell, NYS Department of Health approvals could take up to a year.

3. Ginsberg – By a vote of 5-1, the Ghent Planning Board turned down the Ginsberg expansion application, citing inconsistencies with the local zoning law. Next step is up to Ginsberg, and it's not clear what it may be.

4. County Budget - We should get a first look at the preliminary 2015 County budget next week.

Other issues discussed by the Supervisor:

- Deputy Building Inspector: The building Inspector is not looking to fill the slot at this time. He has asked Colleen Lutz to serve as an adjunct clerk for the time being.
- Accounting Audit: The town supervisor is getting proposals.
- Retiree Health Insurance: The town will be staying with Blue Cross for 2015. The town policy will be dropping two levels and will cost \$351 per person. The premium and the co-payments will go up causing the increase of the towns output from \$450 to \$850 for the insured to cover donut hole costs. A motion was made by Councilman Miller and seconded by Councilwoman Israel to approve the Retiree Insurance changes for 2015. Motion carried.
- Organizational Resolutions: Mr. Bassin asked that the board members look at the resolutions in the next weeks and let him know of any proposed changes. Mr. Sieber of the FAC has suggested a limit on the amount to be signed without a counter signer.

Town Board

Councilman Clark stated that Anne Radier, Bonnie Hundt and Will Lutz will be attending Planning training.

Highway

Mr. MacArthur discussed the prior subject of the compensation for the Deputy Highway Superintendent. Mr. MacArthur sighted the NYS Highway Law and read the section that

pertained to the appointment and compensation for the position. Mr. MacArthur stated that he has indeed asked in the past to compensate the Deputy and has been turned down.

A motion was made by Councilman Miller and seconded by Councilman Thomas to allow compensation for the Deputy Highway Superintendent to be \$100 a month for the remainder of 2014 and then 50 cents an hour for the 2015 year. Motion carried unanimously.

Court

Mr. Wilcox stated that the records management continues and that the offices are asking for a budget transfer to cover the clerks costs in this task.

FAC

Mr. Seiber stated that the FAC has reviewed the October financials, the 2015 budget, the pool committee progress. They have also looked over the three manuals.

ZBA

The ZBA is looking over an area variance. They are also still looking for an alternate member.

Youth Commission

The Youth Commission asked for permission to host, along with the Town Board, a fun holiday light contest. Mrs. Lutz and Mrs. Cleveland gave an overview of their idea on the project. They stated that they would like to have a pot luck dinner the night the winner is announced. For this, they would like to use a small part of the celebrations money. A motion was made to allow this by Councilman Miller and seconded by Councilman Clark. Motion carried. Mr. MacArthur will head the judging committee.

The Youth Commission will also hold their Children's Holiday party at the Town Hall on the 20th of December.

Assessors

The assessor has met with the representative from the state offices and the county to look over the rolls for the equalization rate. He will have more information next month.

ZRC

The following memorandum was given to the town board by Mr. Clark

In August, I provided to you the consolidated zoning law, which the Town Board accepted. A public hearing was then conducted on 18 September, followed by John Lyons' final legal review. On 15 October I provided the Town Board a copy of the law with Mr. Lyons' edits incorporated. All were minor. Subsequently, the Town Board declared itself as lead agency and authorized a negative SEQRA declaration.

Now, the Zoning Law approaches final deliberation and decision by the Town Board. Because the Zoning Law contains a few references to the Subdivision Regulations, which are in the final stages of revision, Nan and I reviewed the Zoning Law to ensure that all references in the text are as accurate as possible. During that review and a subsequent check with John Lyons, we identified passages that warranted minor administrative and cosmetic updates. Those edits have been accomplished. Following is a summary:

- *Cover Sheet—Changed “Consolidated Draft October 2014” to “Adopted November 20, 2014;”
- *Cover Sheet—Note at bottom: Deleted last sentence (“These will be adopted....”);
- *Top of Every Page—Changed “Draft Zoning Law October 15, 2014” to “Adopted November 20, 2014”
- *p. 2—Article I. Title and Scope—Added paragraphs “E. Supersession of Inconsistent Laws,” and “F. Repeal and Replacement of Prior Zoning Law” to Table of Contents.
- *p. 6—Article XII Amendments—Added “F. Publication and Posting” to Table of Contents.
- *p. 8—Added legal language at top of page and in Article I A. Title and in Article I B. Enactment and Authority
- *p. 9—Added “E. Supersession of Inconsistent Laws” and “F. Repeal and Replacement of Prior Zoning Law.”
- *p. 15—paragraph 6a, line 3—Changed “criteria of Article V (J)10” to “criteria of Article V D;”
- *p. 16—paragraph 6c, line 4—Changed “Article V (J)” to “Article VI;”
- *p. 16—paragraph b, line 2—Changed “XI” to “XII.”
- *p. 48—paragraph d1, line 2—Changed “(Area and Bulk Regulations)” to “(Density and Dimensions);”
- *p. 56—paragraph d4—responding to PB/ZEO questions, added sentence to clarify that “setbacks for accessory structures shall be the same as that allowed for principal use pursuant to Article IV, Table 2, except where otherwise noted.” John Lyons verified this is not a substantive change.
- *p. 87—paragraph 2a, line 4—Changed “H3” to “B 1(3);”
- *p. 87—paragraph 2b1, line 2—Changed “H3” to “B 1(3);”
- *p. 90—paragraph 7a, line1—Changed “sub-section H (5)” to “Article V B 1(5).”
- *p. XX—Inserted at back of law copies of Zoning Map (7-19-2012) and Scenic Ridgeline/Steep Slope Identification and Protection Map (4-28-2014).

As all hearings, reviews, edits, declarations, and determinations have been properly accomplished, I recommend the Town Board adopt this Zoning Law on 20 November.

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

Resolution #20 of 2014:

RESOLUTION OF THE TOWN BOARD FOR THE Town of Ancram in the matter of the adoption of the Town of Ancram Zoning Law to consolidate previously adopted amendments and repeal of the Town of Ancram 1972 01-01 Zoning Ordinance, repeal of the 2011 to 2014 Zoning Amendments, and repeal of the 1971 01-01 Trailer Ordinance of the Town of Ancram

WHEREAS, the Town of Ancram adopted a Comprehensive Plan in April 2010, which is a statutorily recognized instrument under Town Law §272-a for the immediate and long-range protection, enhancement, growth and development in a Town; and

WHEREAS, The Town of Ancram Comprehensive Plan encourages the Town to improve its zoning ordinance to be more effective and efficient; and

WHEREAS, the Town of Ancram Town Board, created the Ancram Zoning Revisions Committee to draft changes to the Ancram Zoning Ordinance as recommended in the Town of Ancram Comprehensive Plan; and

WHEREAS, the Ancram Zoning Revisions Committee after careful review, prepared a series of draft amendments to the Zoning Ordinance in accordance with the adopted Town of Ancram Comprehensive Plan, including a new section on manufactured home parks that will replace the 01-01 1971 Trailer Ordinance of the Town of Ancram and an updated zoning map, with the assistance of a professional planner and attorney; and

WHEREAS, the Town Board adopted the updated sections of the Zoning Ordinance by resolution of the Board as follows:

- A. The following Zoning Amendments to the 1972 Zoning Ordinance were adopted by the Ancram Town Board on June 19, 2014:
 - Adopted Supplemental Regulation H: Ridgeline and Steep Slope Protection
 - Ridgeline/ Steep Slope Identification and Protection Map dated 4-28-14
- B. The following Zoning Amendments to the 1972 Zoning Ordinance were adopted by the Ancram Town Board on February 21, 2013:
 - Section IV: Area & Bulk Regulations
 - Supplemental Regulations, Section V
 - Individual Standards, Section V J (10)
 - Definitions, Section XII
- C. The following Zoning Amendments to the 1972 Zoning Ordinance were adopted by the Ancram Town Board on September 20, 2012 and October 18, 2012:
 - Section II: Establishment of Districts (including Zoning Map dated 7-19-2012)
 - Section III: Use Regulations
 - Section IV B: Area and Bulk Regulations: Density Control Schedule
 - Section IV I: Density Bonuses
 - Section V J: Special Use Permits
 - Section VI: Non-Conforming Uses, Buildings, and Lots
- D. The following zoning amendments to the 1972 Zoning Ordinance were adopted on October 20, 2011:
 - Section V(I) - Open Space Conservation Subdivisions
 - Section XIII - Site Plan Review
- E. The following zoning amendments to the 1972 Zoning Ordinance were adopted on July 21, 2011:

- Section I. Title and Scope
- Section VII. Administration and Enforcement
- Section VIII. Zoning Board of Appeals
- Section IX. Planning Board
- Section X. Amendments
- Section XI. Interpretation and Applications
- Section XII. Definitions

WHEREAS, the Town Board desires to consolidate all the updated sections of the Zoning Ordinance into one document, repeal the original zoning ordinance dated 1972 and replace it in whole with the consolidated Zoning Law; and

WHEREAS, the updated Zoning Law includes a new section (Article V (A) (15) and (D) related to manufactured homes and camps and is intended to update and replace the 01-01 1971 Trailer Ordinance of the Town of Ancram; and

WHEREAS, the Town Board of the Town of Ancram has caused to be prepared a Long Environmental Assessment Form (EAF) pursuant to the mandates of the State Environmental Quality Review Act (ECL Article 8 and 6 NYCRR Part 617); and

WHEREAS, the Town Board has duly considered the contents of the EAF and completed Parts 2 and 3 thereof; and

WHEREAS, the Town Board has identified the relevant areas of environmental inquiry and taken a hard look at them; and

WHEREAS, the Town Board has issued a negative declaration under SEQRA thereby complying with the mandates of the State Environmental Quality Review Act; and

WHEREAS, the Town Board has completed requirements of NYS General Municipal Law 239-m by forwarding a copy of the draft plan to the Columbia County Planning Department and waiting 30 days for their response; and

WHEREAS, the Town Board has met requirements of Zoning Article XII (Amendments) and has received comments from the Planning Board, and properly noticed and held a public hearing.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE
TOWN BOARD OF ANCRAM, COLUMBIA COUNTY, NEW YORK:

THAT THE Town Board of the Town of Ancram hereby adopts the Town of Ancram Zoning Law; and

THAT THE Town Board also hereby repeals the Town of Ancram Zoning Ordinance dated 01-01 1972; and

THAT THE Town Board also hereby repeals all amendments to the 1972 Ordinance as described above adopted between 2011 and 2014 and which have now been included into the Town of Ancram Zoning Law; and

THAT THE Town Board also hereby repeals the 01-01-1971 Trailer Ordinance of the Town of Ancram; and

THAT THE Town Board shall enter this law into the minutes of the Town Board and shall publish a summary or abstract of it once in the official newspaper of the Town; and

THAT THE Town Board instructs the Town Clerk of the Town of Ancram to maintain a file in her office in the Town Hall to contain all parts of this law, including the maps; and

THAT THE Town Board ensure that all parts of the law be posted on the Town's website; and

THAT THE Town Board cause affidavits of the publication and posting of the amendments be filed with the Town Clerk.

Subdivision Law

Mr. Clark stated that work has begun on the updating of the Subdivision regulations.

Mr. Clark stated that he has sent a draft of the document to attorney John Lyons on September 7th and he has not fully completed the legal review yet. He will have it done for the December board meeting. This committee will be comprised of people who have planning experience.

Pool Planning

Mr. Wilcox gave an overview of the discussion on the pool planning. The committee is looking at both the options to rehab the current pool or developing a pool at a new sight. The committee would like to retain Joe Iuvian to look at the site. The committee feels that there are technical issues that they may not be equipped to make by Mr. Iuvine could. The committee is asking for \$3500- \$2500 for Mr. Iuvines fees and \$1000 for extra items such as soil testing.

A motion was made by Councilman Miller and seconded by Councilman Clark to allow the pool committee to have expenses up to \$3500 and to allow them to contract with Joe Iuvine. Motion carried.

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

Resolution #21 of 2014: Highway Retiree Insurance

(Cut and paste)

The following budget adjustment were offered by Councilman Miller and seconded by Councilman Clark. Motion carried.

General Budget Adjustments: to 1110.12 from 1110.4 \$2000.00; To 5010.4 to 5132.4 \$300; To 3520.4 from Fund Balance \$600.00; To DA 003409 From 5110.4 \$30,000.00 and 5130.4 \$9,100.00; To DA03501 From 5110.4 \$48,000.00; To 5130.4 From 5110.4 \$11,000.00.

Highway Fund Adjustments: To 5142.4 From 5110.4 \$10,200.00; To 5130.4 From 5110.4 \$9,200.00.

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

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

Respectfully submitted by,

Monica R. Cleveland
Ancram Town Clerk