

**Town of Ancram
Town Board
Regular Meeting (Via Zoom)
August 20, 2020**

Present: Supervisor Arthur Bassin Councilman Hugh Clark
 Councilman David Boice Councilwoman Madeline Israel
 Councilwoman Bonnie Hundt Town Clerk Monica Cleveland
 Highway Superintendent James Miller

The regular meeting of the Ancram Town Board was called to order at 7:00pm by Supervisor Bassin with a salute to the flag. The meeting was conducted via zoom due to restrictions for distance at gatherings in regards to Covid-19.

Mr. Bassin asked the members if there were any items on the agenda that any member wished to recuse themselves from. There were none.

A motion was made by Councilwoman Israel and seconded by Councilman Clark to approve the July 16, 2020 and the July 30, 2020 minutes as read and placed on the record. Motion carried.

Supervisors Report

1. July Financial Report – July numbers were as expected. Sales tax receipts through July YTD have were down about 5%, compared to the 40% risk we had been anticipating. If sales taxes come in down 10% for the year, not 40% we will end the year with about \$100,000 more in cash. Assuming we close on the plow truck loan, receive 80% in CHIPs funding (about \$136,000) and achieve the cost savings we have identified, we should end the year with about \$1.1 million -\$1.2 million in cash.

2. 2021 Budget – We will take a first look at the 2021 tentative budget at our meeting next week. Attached are drafts of 2021 budget assumptions, the 2021-2025 capital plan and the draft tentative budget, which indicates we are keeping property taxes flat but eliminating the \$130,000 in our contingent accounts for future capital spending, to offset the expected sales tax revenue deterioration of \$130,000. If sales taxes are down 10% next year, not 40% as is now assumed in the 2021 budget, revenues will be about \$100,000 better than budgeted and will allow us to restore funding to the contingent accounts. There are no new capital spending projects proposed for the next few years, but we will have about \$60,000 available as part of the NYSERDA grant to help fund a new TH HVAC system in 2021 when we determine what we want to do with the HVAC system. We also will have the \$1.1 million fund balance available if we need to make some unplanned capital investments. We will hold a public hearing on the tentative budget in September.

3. Building Department Capacity – Ed Ferratto has been working three and four days a week instead of the normal two days a week to keep up with building permit activity. YTD building department fees are 50% higher than last year. Ed is keeping track of his extra time, which we will compensate him for. It is

likely that this heavy workload will continue into next year given a strong housing and home improvement market and the need to start inspections for short term rentals. Ed and I have been discussing the need to expand Building Department capacity this year and next by increasing Ed's time and hiring a deputy. The tentative 2021 budget assumes a 50% increase in building department staffing costs and a fee increase to cover those costs.

Councilwoman Hundt asked if the revenue declines at the County level would affect the town. Mr. Bassin stated that he felt it would not. Mr. Miller stated that the town will know by the end of September if the CHIPS money will be drastically cut.

Mr. Bassin moved on to the 2021 proposed budget numbers. He felt that the increase in the revenue in the building department will continue. Councilman Boice asked how the highway budget numbers were down \$120,000. Mr. Miller responded that the winter had been light saving about \$25,000. There were savings in the repair lines and the town is working with a three man crew due to one being out on Comp. The department will cut road repairs by \$60,000 next year. Ms. Hundt questioned this cut and Mr. Miller said that the department will carve out what can be put off for now.

In regards to the capital plan the town has nothing set through 2023 to purchase. Mr. Bassin did say that the highway department would like to purchase a pickup truck to replace the oldest pickup truck. The truck cost \$2500 in repairs just to be inspected this year. Councilman Boice responded that he thought that the newest (2018) truck was purchased to replace the oldest truck. Mr. Miller stated that the town had continued to use the truck to pull the wagon with the lawn mowing equipment on it. Mr. Miller said that this would be a light duty truck.

The following resolution was offered by Councilwoman Hundt and seconded by Councilwoman Israel and moved for adoption. Motion carried.

Resolution #32 of 2020: Tentative Budget Public Hearing: Resolved, that the Ancram Town Board will hold a public hearing on the proposed 2021 Tentative Budget at 6.45 pm on September 17, 2020 via ZOOM. The ZOOM invitation for this public hearing follows:

Topic: 2021 Tentative Budget Public Hearing

Time: Sep 17, 2020 06:45 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/6017878873?pwd=WjZlR0ZlWVFGNmFZaGVVQUhuRXlY2QT09>

Meeting ID: 601 787 8873

Passcode: Ancram

One tap mobile

+19292056099,,6017878873#,,,,,0#,,436980# US (New York)

+13126266799,,6017878873#,,,,,0#,,436980# US (Chicago)

Dial by your location

+1 929 205 6099 US (New York)

+1 312 626 6799 US (Chicago)

+1 301 715 8592 US (Germantown)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 601 787 8873

Passcode: 436980 Find your local number: <https://us02web.zoom.us/j/6017878873>

Building Department

Mr. Bassin announced that the Building Department secretary Marie McDermott may be moving and that ZEO/CEO Ed Feratto will be looking for a new secretary. Mr. Bassin also said that due to the activity in the department, Mr. Feratto has expressed the wish to hire a deputy. The positions will be advertised when Mr. Feratto makes a decision.

Traffic Safety

Mr. Bassin reported that himself and Mr. Miller had met with the County Signage foreman on County Route 8A about children at play signs and other signs to slow traffic down. Mr. Bassin noted several traffic related incidents had occurred in the town, especially within the hamlet of Ancramdale in the past several months. Mr. Bassin questioned what the solution to the traffic issue is. He suggested that the town have more patrols especially during the night time hours when the deputies usually are not able to sit and patrol. This the town may have to pay for. He will have more information for this for next month's meetings. Councilwoman Hundt asked if the town needs permits for the radar signs and if the town has them. Mr. Bassin said that both roadways need permits and that the town has them for the county roads and will get them for state roads. It was suggested to set up a focus group to find out what time there is heavy traffic, speeders, unsafe traffic, etc. Councilman Boice noted that most of the night accidents are alcohol related and that there are more accidents because there is more traffic. He felt that the solution isn't a 20mph speed limit but enforcing the 35mph limit. Councilman Clark felt that the people seeing the incidents of speeding and unsafe driving should make a list of these instances to reference. Councilman Boice felt that this was illegal. While acknowledging that such information may not be permissible for prosecution, Mr. Clark said that while the town is in discussion, nothing should be off limits. Councilwoman Hundt asked about a possible flashing light.

Councilman Boice made a motion to purchase permanent radar signs for Ancramdale. Councilwoman Hundt expressed that she would like to know costs of the signs prior to okaying their installation. Councilman Clark agreed in being interested in the different models and price points. Supervisor Bassin will do some research for the next month and will speak to the sheriff as well.

Plow Truck

Mr. Bassin said that the town is all in line to sign the papers for the new truck loan in the coming weeks.

Geothermal

Mr. Bassin reported that there is no new information coming in regarding this proposal. The AC unit at the town hall has broken down beyond repair on one end of the building.

Trails Committee

Mr. Bassin reported following the last meeting it was concluded that there was no access for the trail between Pine Plains and Ancramdale due to the property owners. But the town has decided to go ahead with establishing a trails committee to seek hiking, biking and walking trails.

The following resolution was offered by Councilman Clark and seconded by Councilwoman Israel and moved for adoption. Resolution carried.

Resolution #33 of 2020: Trails Committee – Resolved, that the following individuals are appointed to the Town of Ancram Trails Committee, and that Lawrence Moss is named as chair of this committee: Matthew Bernstein, Bob Dittus, Mary Watkins, Lawrence Moss, Woody Baxt, Joe Brown, Christine Brown, Dan Osofsky, David Fedzcuk, Carol Falcetti, Gideon King

Supervisor Bassin reported that Councilwoman Hundt, Councilman Clark and himself had all filled out the County Housing Survey and he had turned them in to the county.

The 2019 audits will continue this coming September.

Mr. Bassin reported that the County Police Reform Panel had not yet been formed.

Town Board Comments

Town Board Member and Zoning Revisions Committee Chair Hugh Clark summarized ZRC responsibilities and actions since October 2019 and presented a resolution introducing Local Law #2 of 2020, which proposes amendments to the 2014 Zoning Law. The Town Board unanimously adopted the resolution, which includes classifying adoption of the proposed law as a Type I action; declaring the Town Board as lead agency for environmental review of the proposed law; accepting SEQRA Environmental Assessment Form Part 1; referring the proposed law to the Columbia County Planning Board and to the Town Planning Board; scheduling a public hearing at 6:30 pm, Thursday, October 15, 2020, via Zoom; and directing notification about the public hearing and posting of the proposed law on the Town web site with a paper copy available for review at the Town Hall.

The following resolution was offered by Councilman Clark and seconded by Councilwoman Hundt and moved for adoption by roll call vote. Resolution carried unanimously.

Resolution # 34 of 2020: Resolution of the Town of Ancram Town Board - Introducing Local Law No. 2 of 2020, a proposed "Local Law Amending Miscellaneous Provisions of the Town of Ancram Zoning Law previously adopted on November 20, 2014, and as amended since, and Adding New Provisions."

Resolution date: August 20, 2020

Whereas:

1. This resolution proposes new legislation in the form of a local law amending miscellaneous provisions of the Town of Ancram Zoning Law, previously adopted on November 20, 2014 and as amended since, and that also adds several new provisions.

2. The new Zoning Law is proposed in the form of a Local Law pursuant to the authority and power granted to the Town Board and the Town by Articles 2 and 3 of the New York State Municipal Home Rule Law and by Article 2 of the New York State Statute of Local Governments.

3. In 2019, pursuant to the authority granted in New York State Town Law § 272-a, the Town of Ancram adopted an updated Comprehensive Plan. That Plan sets forth Ancram's vision for its future, and the blue print for how the Town should grow and how Ancram should preserve the characteristics and qualities of the Town so valued by Town residents. The Comprehensive Plan consists of materials, written and/or graphic, including, but not limited to, maps, charts, elements, appendices and other descriptive material. Section 272-a(11) of the Town Law requires, in relevant part, that all town land use regulations must be in accordance with an adopted Comprehensive Plan.

4. It is our intention to adopt a Zoning Law which brings Ancram's zoning law into accord with the 2019 Comprehensive Plan. Our existing Town Zoning Law was adopted in 2014 and amended several times since then to address issues as they have arisen. Since the adoption of the updated Comprehensive Plan, the Town recognized there is a need for the Zoning Law to address current land uses not previously addressed in the Town Zoning Law including short-term rentals, special event venues, and the spreading of biosolids on farmlands.

5. In addition to, and in confluence with the implementation of the goals of the Town's Comprehensive Plan, it is also the purpose of the proposed Zoning Law to exercise our Town's right to protect our citizens by controlling the use of land so as to broadly protect the public health, safety and general welfare and to carry out locally established goals and objectives in accordance with a comprehensive plan designed to preserve and protect, for the benefit of the town as a whole, the basically rural-agricultural character of the Town.

5. This proposed Zoning Law is the result of hours of work over at least a year by the Town's Zoning Review Committee (ZRC). Throughout that time, the ZRC has been working with the benefit of professional assistance from Nan Stolzenburg, AICP, of Community Planning and Environmental Associates.

6. Looking ahead to the introduction of this proposed law, the Town Board directed the Town's planning consultant to prepare for the Town Board's review an Environmental Assessment Form (EAF), Part 1, pursuant to the State Environmental Quality Review Act (SEQRA). The Town's planning consultant has prepared the EAF Part 1 and presented it to the Town Board for its review and consideration.

7. Pursuant to New York State Municipal Home Rule Law § 20, Local Law No. 2 of 2020 proposing updates to the Zoning Law for the Town of Ancram was received by each

member of the Town Board prior to this meeting via email and that proposed Local Law shall be deemed to be on the desk of each member of the Town Board as of tonight's Town Board meeting.

NOW THEREFORE, BE IT RESOLVED,

Section A. Pursuant to New York State Municipal Home Rule Law § 20, and Article XII of the Town of Ancram Zoning Law, the Town Board hereby introduces a revised Proposed Local Law No. 2 of 2020, a “Local Law Amending Miscellaneous Provisions of the Town of Ancram Zoning Law previously adopted on November 20, 2014, and as amended since, and Adding New Provisions.” A copy of the proposed Local Law is attached as Exhibit A to this Resolution.

Section B. Pursuant to provisions of SEQRA the Town Board hereby determines to classify the adoption of the proposed new Zoning Law (the “proposed action” in SEQRA parlance) as a Type I action [see, New York State Environmental Conservation Law (ECL), Article 8; 6 New York Code of Rules & Regulations (NYCRR), Part 617.4(b)(2)].

Section C. Further pursuant to SEQRA, the Town Board further determines that it will be the only agency with approval authority over the proposed action. Accordingly, the Town Board hereby declares itself to be the Lead Agency for the conduct of the environmental review of the proposed action under SEQRA. The Town Board further identifies the Town of Ancram Planning Board and the Columbia County Planning Board as interested agencies.

Section D. The Town Board hereby accepts the SEQRA Environmental Assessment Form (EAF) Part 1 for the proposed action which is dated August 20, 2020 and has been prepared at our request by the Town’s planning consultant. A copy of the EAF Part 1 is attached here to as Exhibit B.

Section E. The Town Board hereby directs that the proposed Local Law be referred to the Columbia County Planning Board for its review and for an advisory opinion pursuant to Section 239-m of the New York State General Municipal Law. The Town Board directs the Town Clerk to make the referral in conformity with the applicable provisions of New York State General Municipal Law § 239-m.

Section F. Town Board hereby directs that the proposed Local Law be referred to the Town of Ancram Planning Board in accordance with Town of Ancram Zoning Law Article XII(B) for its review and for an advisory opinion. The Planning Board shall deliver its response to this referral to the Town Board within forty five (45) days of the date of this referral.

Section G. In accordance New York State Municipal Home Rule Law § 20(5), the Town Board hereby schedules a Public Hearing on said Proposed Local Law for October 15, 2020, at 6.30 p.m. via Zoom. The Town Board directs the Town Clerk to provide a link to the Zoom meeting at least 7 days prior to the hearing date.

Section H. The Town Board directs the Town Clerk to provide notice to the public of the public hearing in accordance with the requirements for same set forth in the New

York State Municipal Home Rule Law, and directs the Town Clerk to cause publication notice of the public hearing in the Town’s official newspapers in accordance with the requirements of Town of Ancram Zoning Law Article XII(C)(1) not less than ten (10) calendar days prior to the Public Hearing, and to provide written notice of the hearing to any required Municipal, County, Regional, Metropolitan, State or Federal Agency in the manner prescribed by law pursuant to Ancram Zoning Law Article XII(C)(2).

Section I. The Town Board also directs the Town Clerk to post a copy of the proposed Local Law on the Town's web site, and to make a paper copy of the proposed Local Law available for review by the public at the Town of Ancram Town Hall, 1416 County Route 7, Ancram NY 12502.

Section J. The Town Board hereby directs the Town's Planning consultant to prepare for the Town Board's review at a later date a SEQRA EAF Part 2 for the Town Board's review and consideration.

Councilwoman Hundt reported that she had attended the Planning Board Zoom meeting via the computer option and that she had a hard time hearing anything that happened. She was concerned that the committee chair has not been well and that at this meeting the vice chair had refused to chair the meeting. She suggested that there may need to be some changes made to the Planning Board. Supervisor Bassin suggested that Ms. Hundt bring up her concerns directly to the Planning Board chair. Councilman Clark, who noted that he had attended the meeting in person, had a difficult time hearing the proceedings himself in person. Mr. Bassin noted that Mr. Ingram, the Chair of the committee, has the choice of choosing his vice chair. Councilwoman Hundt will send an email with her concerns directly to Mr. Ingram.

Highway Department

Superintendent Miller reported that the highway department has completed their road repairs for the year and is at this time assisting other towns who have assisted Ancram, that being Copake, Gallatin and Hillsdale. There was tree damage from the latest storm. There was nothing to report on the snow plowing contract for the County Roads 8A and 8. Mr. Miller reported that the employee on comp at this time will need to have surgery and is looking to possibly be out 10-17 weeks. Mr. Miller is talking to some part time help to fill in during the winter storms.

Councilwoman Hundt asked about the \$16,500 bill for paving. Mr. Miller said that \$2,000 was for the parking lot and the remainder was for work on Simons Road. She also questioned a \$2,000 repair bill. Mr. Miller said that was the bill to repair the red 2008 pickup for inspection.

Town Clerk

Mrs. Cleveland asked if the proposed computer update for the town hall offices will be able to go forward in the 2021 budget. She noted that her Town Clerk Computer is approximately 8-10 years old and desperately needs to be replaced. Except for her town programs, she is using her personal computer at this time for minutes and such. Mr. Bassin said that yes, computer replacements that need to be made can and should be done in the coming year.

A motion was made by Councilwoman Hundt and Councilman Clark to approve the Highway Budget Adjustment of \$209,143.00 from the fund balance to the highway machinery line. Motion carried.

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

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

Respectfully submitted by,

Monica Cleveland

Ancram Town Clerk