

**Town of Ancram  
Town Board  
Regular Meeting  
November 18, 2021**

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

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

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

A motion was made by Councilwoman Hundt and seconded by Councilman Boice to approve the October meeting minutes. Motion carried.

A motion was made by Councilwoman Israel and seconded by Councilman Clark to approve the amendments to the August 2021 and September 2021 regular meeting minutes. Motion carried.

The following resolution was offered by Councilwoman Hundt and seconded by Councilwoman Israel and moved for adoption. Resolution carried by unanimous roll call vote.

**Resolution #65 of 2021**

**ASHP & Electric Upgrade RFPs – Resolved,** that the Ancram Town Board approves the proposed RFPs for the installation of two Bosch air source heat pumps at the Ancram Town Hall and the and the necessary electrical upgrades to support these ASHPs, subject to a review and approval of the RFPs by the Climate Smart Community Task Force.

Councilwoman Hundt noted that she felt this was a great solution in the end.

Lynn Perrella gave a presentation on the proposed Historical Banners. The proposal is to purchase the 50 double sided historic banners now for a discounted price of \$3750.00. A motion was made by Councilman Boice and seconded by Councilman Clark to purchase 50 banners at a cost of \$3750. Motion carried.

The following resolution was offered by Councilman Boice and seconded by Councilman Clark and moved for adoption. Resolution carried by unanimous roll call vote.

**Resolution #66 of 2021**

**County Environmental Management Council - Resolved**, that the Ancram Town Board reappoints Colleen Lutz to a two-year term on the Columbia County Environmental Management Council beginning January 1, 2022.

The following resolution was offered by Councilwoman Hundt and seconded by Councilwoman Israel and moved for adoption. Resolution carried by a unanimous roll call vote.

#### **Resolution #67 of 2021**

**Technology Committee – Resolved**, that Philip Hack is appointed as Chair of the Ancram Technology Committee.

#### **Pool**

Councilman Boice reported that the pool has been drained and painted in areas. The handicapped chair will be installed in the spring. Bob Reed is looking at the changes proposed to the bathrooms to make them handicapped accessible.

#### **Kids Camp**

Ellen Langdon, Co-Chair of the camp board, has resigned. Councilwoman Israel volunteered to take her place.

#### **Sharon Hospital**

Mr. Bassin noted that he had received an email from a town resident asking about sending “Save Sharon Hospital” emails through the town email list. Mr. Bassin asked how the Town Board felt in handling this request. Councilman Boice felt that the town email list is used for many other things, such as lost dogs. He thought that technical information about what is happening at Sharon hospital would be appropriate in being sent out. He felt the town board should not take sides but should get the information out. Councilwoman Hundt agreed that in sending information out it should be balanced. Norman Osofsky, member of the audience, felt that the town board needs to take a stand and that how can we attract young people to the area without a hospital.

Mr. Bassin asked for comments in regards to the proposed resolution for Local Law #4, salary increases for elected officials. Councilwoman Hundt noted that she had been given a spread sheet that showed the salaries for elected officials in Columbia County and that Ancram was universally on the low end. The following resolution was offered by Councilwoman Hundt and seconded by Councilman Boice. Resolution was passed by a unanimous roll call vote.

#### **Resolution #68 of 2021**

**Public Hearing on a local law authorizing increases in elected official’s salaries – Whereas**, the 2022 proposed salaries for certain elected officials in the 2022 Final Budget are higher than the amounts disclosed in the notice of public hearing on 2022 the Preliminary Budget, and **whereas** the Ancram Town Board must adopt a local law to authorize these proposed increases, and **whereas** these proposed salary increases are approximately 3% or \$5,000 higher in aggregate than originally disclosed in the Preliminary Budget public notice, **therefore it is resolved**, that the Ancram Town Board will hold a public hearing at 7 pm on December 16, 2021 to solicit public comment on the proposed 2022 salaries of certain elected officials.

## **Supervisors Report**

**1. Financial Report** – Another normal financial month. We still expect to end the year with over \$1.4 million in cash, compared to our normal \$800,000. Sales tax continues strong, and we received a \$35,000 second mortgage tax payment, giving us a total mortgage tax payment of about \$104,000 this year, compared to a budget and “normal” year of \$30,000.

**2. 2022 Final Budget** – We will hold our Final Budget public hearing at 6.45pm on 11/18. Taxes for 2022 are budgeted to come in \$37,500 (5%) under 2021 levels at \$714,400. \$17,500 of this tax reduction comes from the elimination of the Town’s budgeted contribution to the library and has been replaced by a \$29,977 direct county tax payment to the library resulting from the successful 414 referendum that was approved by voters on November 2. We will review the proposed 2022 Budget and 2022-2026 Capital Plan during the regular meeting prior to considering each for approval. Details about the 2022 Final Budget are summarized in the Budget Overview document.

**3. Salary Increases for Elected Officials** - Councilwoman Israel has recommended that we consider salary increases of at least 6% for all elected and appointed officials and employees to reflect of the 6% increase in the cost-of-living index over the past year. Because the proposed 6% salary increases for elected officials in the Final Budget are higher than the amounts disclosed in the public notice of the Preliminary Budget, we will have to adopt a local law to allow these increases. We will introduce the proposed local law approving the 6% salary increases for elected officials at the 11/18 meeting, will schedule a public hearing on the local law prior to the 12/18 Town Board meeting, and will consider the local law approving the proposed salary increases for elected officials at the 12/18 Town Board meeting. If this law is approved by the Board, it will be subject to a permissive referendum. The cost of increasing elected officials’ salaries from 3% to 6% is about \$5,000

**4. Town Hall HVAC** – We will review and consider for approval two RFPs related to this project – one for the Bosch ASHPs, and one for the electrical upgrades necessary to support the new ASHPs. The RFPs are still subject to CSCTF review and a decision to be made about whether the Town should buy the heat pumps directly and modify the ASHP RFP to be an installation only RFP. We have been advised that there is a 150-day delivery delay on the ASHPs, so we will do the electrical upgrade work first. Bob Travis of CPL Engineering will join us on 11/18 to review the project and the RFPs.

**5. Local Law # 3 of 2021 Establishing a Local Type 1 List** - We will have a public hearing at 7 pm on 11/18 on Local Law #3 and will consider this local law for adoption during our meeting.

**6. Planning Board Alternate** – We have received 8 expressions of interest and 4 resumes. A subcommittee of the Planning Board and Hugh Clark representing the ZRC and Town Board will interview all candidates interested in being considered for appointment n Saturday, December 4 and will submit their recommendation to the Town Board for appointment.

**7. Sharon Hospital** – An Ancram resident has requested that the Town make a statement opposing the proposed changes that have been proposed by Nuvance management at Sharon Hospital. We will discuss what role if any the town should play in this controversy and what information we should circulate if any about the Sharon Hospital matter via Ancramemail.

**8. Zoning Revisions Policy** – Iron Star has applied to the Town Planning Board to build a retreat center on 82 just outside of the hamlet of Ancram. As part of their development plan, Iron Star has requested that the Ancram Town Board consider revising zoning to move a small a section of land now included in the Ancram hamlet zone to the adjacent Ag Zone. To accommodate this request, we will review and consider for approval a policy that establishes the process and procedures for considering these kinds of zoning change requests from property owners, and what the requirements for submitting such a request will be.

**9. Zoning Amendments** – Hugh will be introducing a local law with the next round of proposed zoning amendments. We will schedule a public hearing on this local law for 12/18.

Mr. Bassin noted that Mr. Will Weiss, member of the FAC, will be forming a committee to look at identifying ways to invest the town’s excess fund in projects that could benefit the town. Councilwoman Hundt asked if this was separate from the Capital Plan already in place. Mr. Bassin said it was. Mr. Clark

asked if this would be completed prior to the August budget process. Mr. Bassin stated that that was the plan.

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

**Resolution #69 of 2021**

**Adoption of 2022 Final Budget - Resolved**, that the Ancram Town Board adopts the 2022 Town Budget with a Town tax levy of \$714,420, a reduction of \$37,136 from the 2021 Town tax levy, and a Lighting District tax levy of \$4,500, a reduction of \$500 from the 2021 Lighting District tax levy.

Mr. Bassin noted the 2022 Capital Plan. He asked for the board members opinions on paying off the plow truck loan in 2022. Councilman Boice noted that interest rates are going up so it may be in the towns favor to not pay the loan off. Councilwoman Hundt questioned if the FAC had minutes. She would like to see what the FAC talks about. She feels that it would be helpful. Mr. Bassin said that notes from the FAC can be taken.

Mr. Miller said that the bucket truck should arrive April to May.

The following resolution was offered by Councilman Boice and seconded by Councilman Clark and moved for adoption. Resolution carried by unanimous roll call vote.

**Resolution #70 of 2021**

**2022 Health Insurance Plans – Resolved**, that the Ancram Town Board authorizes the Town Supervisor to enter into an agreement with CDPHP to provide the HDEPO and HDHMO Bronze 424 or Bronze 428 health insurance plans to eligible Ancram employees and their families, and **be it further resolved** that the Town of Ancram will pay 100% of the premiums for these policies for eligible employees and their families, and **be it further resolved** that the Town of Ancram will contribute \$750 to each employees' HAS in January 2022, and **be it further resolved** that the Town of Ancram will reimburse all eligible employees for out of pocket medical expenses incurred by the employee and covered family members in excess of \$1500 until the policy deductible has been reached and the health insurance policy covers medical expenses.

Mr. Bassin noted that there are 9-10 applicants for the Planning Board member alternate position. John Ingram, Hugh Clark and Joe Crocco will interview the candidates.

**Board Members Comments**

Councilwoman Hundt gave an update on the housing survey. 220 surveys were submitted on line and 60 on paper. While the turn out was good, Bonnie and Paul were disappointed in the fact that the demographic of the younger residents. There are ideas being floated around on how to reach the younger people. Ms. Hundt has been also attending meetings for Pattern For Progress and a Copake-Hillsdale Housing group. Ms. Hundt noted that the Habitat house in Ancramdale has possibly found two families.

Councilwoman Israel reported that the town directory is in the proofing process.

Councilman Boice reported that the Neighbors van still has no date available from Sourcewell.

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

**Resolution #71 of 2021**

**NEGATIVE DECLARATION - TYPE I ACTION**

Adoption of Local Law Establishing a Local Type I List (Local Law No. 3 of 2021)

DATE: \_NOVEMBER 18, 2021

WHEREAS:

1. Proposed new legislation in the form of a local law establishing a Local Type I List pursuant to 6 NYCRR Part 617 has been introduced and reviewed.
2. The new provisions related to a Local Type I List are 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 blueprint 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 local law which brings Ancram's land use regulations into accord with the 2019 Comprehensive Plan. In so doing, the Town developed a local Type I List to enhance environmental review for certain actions deemed to have such intensity, scale, or operation that are more likely to result in adverse environmental impacts.
5. In addition to, and in support of the implementation of the goals of the Town's Comprehensive Plan, it is also the purpose of the proposed Type I List Local Law to exercise our Town's right to protect our citizens by ensuring new uses of land are protective of the public health, safety and general welfare, and that are consistent with locally established goals and objectives in accordance with our comprehensive plan. Ancram's Plan is designed to preserve and protect, for the benefit of the town as a whole, the basically rural-agricultural character of the Town.

6. This proposed Local Law is the result of hours of work and consideration by the Town's CAC and ZRC, and planning consultant.

7. Adoption of the Local Law No. 3 of 2021 establishing a Local Type I list has been determined to be a Type I action, pursuant to the New York State Environmental Quality Review Act (SEQR) 6 NYCRR Part 617.4, and

8. The proposed action will not require permits and approvals from any other local, regional, or State agencies prior to adoption, and a coordinated SEQRA review is not required; and

9. The Town Board carefully reviewed Parts I, II, and III of the Full Environmental Assessment Form and took the required hard look on the above-described action according to SEQRA, 6 NYCRR Part 617 as part of the required adoption procedures; and

10. The Town Board, after consideration of the Full Environmental Assessment Form Part III finds that:

The Town has not identified any significant, adverse environmental impacts that would result from adopting Local Law No. 3 of 2021 related to establishment of a Local Type I List. The Town Board has reviewed Part I and II and has determined that there are no identified potential moderate to large adverse environmental impacts associated with adopting a Local Type I list for the Town of Ancram. This action implements policies established in the 2019 Town of Ancram Comprehensive Plan. Protection of the environment and maintenance of the rural character of the Town are paramount policies of the Town and this local law is established to further environmental review and protections when certain land uses are proposed in the Town. Adoption of this Local Type I list will allow for further environmental protection by requiring use of the Full Environmental Assessment Form for uses determined locally to be Type I actions. A local Type I list elevates the environmental review of certain future actions and is intended to result in further avoidance of adverse impacts or identification of additional mitigation measures.

The action of adopting a local law by itself will not result in any physical change to the environment. Future development in the Town may adversely impact the environment and it is specifically to avoid or mitigate those impacts that the Town has developed this Type I list. The Town recognizes that some development will take place in the future. Those future actions may impact the environment and such potential impacts will be evaluated at the time of an application for subdivision, special use permit, or site plan review approval for these uses as a Type I action. Through an enhanced SEQR process, the Town will be further enabled to decrease the duration, magnitude, size and extent of any adverse impacts that may occur in the future in order to meet the Town's environmental, character, and quality of life vision, goals, and policies.

As the local Type I Law is fundamentally designed to limit adverse impacts related to certain land uses, the Town Board has concluded that there will be no adverse impact to adopting the Type I law.

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

1. That the Town Supervisor is authorized to execute and sign the Full Environmental Assessment Form.
2. That the Town of Ancram Town Board hereby declares that adoption of the proposed Local Law No. 3 of 2021 establishing a Local Type I List as described herein, will not have any potential significant adverse environmental impact; and
3. That the Town Board hereby makes a negative declaration regarding SEQR 6NYCRR Part 617 and authorizes filing of such negative declaration (Part III of the FEAF); and
4. That the Town Board directs the Town Clerk to file a notice in the Environmental Notice Bulletin according to SEQRA, 6 NYCRR Part 617 as required; and

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

The following resolution was offered by Councilman Clark and seconded by Councilman Boice and moved for adoption. Resolution carried by unanimous roll call vote.

**Resolution #72 of 2021**

**Adopting Local Law No. 3 of 2021, a “Local Law Creating a Local Type I List for the Town of Ancram**

Whereas:

1. This resolution proposes a new local law to create a Local Type I List for the Town of Ancram (LL No. 3 of 2021).
2. The Local Type I List (LL 3 of 2021) 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. The Type I List local law (LL3 of 2021) is proposed to further implement the 2019 Town of Ancram Comprehensive Plan that established the need and direction for further protecting the unique environment in the Town, and to further the vision and goals established by the Community.

4. The Town's Zoning Revisions Committee (ZRC) thoroughly discussed all proposed language for this local law in coordination with the Town's Conservation Advisory Council, Town Planner, and Town Attorney.

5. Adoption of this local law is a discretionary action subject to SEQR. The Town Board has reviewed the Environmental Assessment Form (EAF), Part 1, Part 2, and Part 3 pursuant to the State Environmental Quality Review Act (SEQRA).

6. As a result of the SEQR process, the Town Board determined that no significant adverse environmental impacts would result from adoption of the LL3 of 2021, and in fact, adoption of this local law would further environmental protection in the Town of Ancram.

7. Pursuant to New York State Municipal Home Rule Law § 20, Local Law No. 3 of 2021, as described herein, the final copy of this proposed local law has been received by each member of the Town Board as required.

8. The Town Board directed 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 referral to the County was made in conformity with the applicable provisions of New York State General Municipal Law § 239-m and the County determined that adoption of this Local Law would not have any county-wide implications and thus approved the local law.

9. In accordance New York State Municipal Home Rule Law § 20(5), the Town Board scheduled and held a properly noticed Public Hearing on the Proposed Local Law and allowed for written public input. The Town Board also posted a copy of the proposed Local Law on the Town's web site and made 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.

10. Public comments were reviewed by the Town Board and subsequently, the Town Board prepared a final version of the proposed zoning amendments, attached as Amendment A to this resolution.

NOW THEREFORE, BE IT RESOLVED,

Section A. That the Town Board hereby adopts Local Law No. 3 of 2021.

Section B. That the Town Board instructs the Town Clerk to file the ENB form as required by 6NYCRR Part 617.

Section C. That the Town Board directs the Town Clerk to inform the Columbia County Planning Office if its decision on such form as may be prescribed by the Columbia County Planning Office.

Section D. That the Town Board directs the Town Clerk to file Local Law No. 3, as adopted by the Town Board, with the New York State Department of State immediately.

Section E. 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.

Section F. That the Town Board instructs the Town Clerk to maintain a file in her office in the Town Hall to contain all parts of this law and instructs the Town Clerk to 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.

The following resolution was offered by Councilman Clark and seconded by Councilwoman Hundt and moved for adoption. Carried by unanimous roll call vote.

**Resolution #73 of 2021**

**Resolution of the Town of Ancram Town Board Adopting a Policy on Petitions for Zoning Amendments**

**Whereas:**

1. This resolution introduces a policy intended to guide Town Board decision-making related to petitions for zoning amendments and to guide potential petitioners as they prepare for such petitions.
2. This zoning amendment policy seeks to: establish a fair, objective policy for Town Board consideration of petitions to amend the Town Zoning Law; to establish a single policy and procedure that will apply equally to all parties asking for the Town Board to amend the Town Zoning Law and which will allow for amendments to the Zoning Law by petition; to establish a process that will ensure that any amendments to the Zoning Law adopted pursuant to a petition will be legally valid and meet the applicable standards in New York State law; to ensure that the Town Board does not waste municipal time and money resources in the consideration of proposals which cannot meet applicable standards; to ensure that the Town is not unduly burdened by the municipal expenses which must be incurred in connection with the amendment review and adoption process; and to inform potential petitioners at the outset about the legal requirements and procedures necessary to accomplish the adoption of a valid amendment to the Zoning Law.
3. Article 12 of the Town of Ancram Zoning Law establishes general procedures for addressing zoning petitions. This Article, however, does not elaborate on information the Town Board needs in order to fully evaluate the petition, conduct SEQR appropriately, and make a fully informed decision.
4. A policy related to petitions for zoning amendments is needed to ensure that proposed amendments will benefit the Town and community as a whole, promote the general welfare, and preclude piecemeal or spot zoning
5. A policy related to petitions for zoning amendments will ensure that such amendments to the Zoning Law are consistent with the goals and strategies of the Town of Ancram Comprehensive Plan.
6. The Town desires to provide petitioners with both a clear process and a detailed list of information needed for full consideration of a zoning petition.

7. The full text of the Policy Statement on Petitions for Zoning Amendments is appended to this resolution as Attachment A.

**NOW THEREFORE, BE IT RESOLVED,**

**Section A.** For the reasons set forth in this Resolution the Town Board hereby adopts the Policy Statement on Petitions for Zoning Amendments.

**Section B.** That the Town Board shall not initiate any review of a petition for a zoning amendment unless such petition is in writing and contains all information required by this Policy.

**Section C.** That the Board hereby authorizes the Town Clerk to post this policy on the Town of Ancram Website and to forward a copy of this policy to the Chair of the Town Planning Board, Chair of the Town Zoning Board of Appeals, and to the Town Building Department.

**Section D.** That the Board hereby requires the Town Clerk and the Town of Ancram Building Department to present this policy to all potential zoning amendment petitioners prior to accepting any such petition.

**Attachment A:** Town Board Policy Statement on Petitions for Zoning Amendments is as follows:

**Town of Ancram Town Board Policy Statement on Petitions for Zoning Amendments**

**1. Purposes of this Policy:** This policy seeks to achieve the following purposes for the Town of Ancram:

- to establish a fair, objective policy for Town Board consideration of petitions to amend the Town Zoning Law;
- to establish a single policy and detailed procedures coordinated with Article XII of the Town Zoning Law that will apply equally to all parties asking for the Town Board to amend the Town Zoning Law by petition; • to establish a process that will ensure that any amendments to the Zoning Law adopted pursuant to a petition will be legally valid and meet the applicable standards in New York State law;
- to ensure that the Town Board does not waste municipal time and money resources in the consideration of proposals which cannot meet applicable standards;
- to ensure that the Town is not unduly burdened by the municipal expenses which must be incurred in connection with the amendment review and adoption process; and
- to inform potential petitioners at the outset about the legal requirements and procedures necessary to accomplish the adoption of a valid amendment to the Zoning Law.

**2. Reasons for this Policy:** New York State Law prohibits piecemeal or spot zoning. In general terms, spot zoning occurs when an area of property is rezoned solely for the benefit of a property owner or group of property owners with no significant benefit to the community as a whole. In order to be legally valid, amendments to the Zoning Law made at the request of a petitioner must be shown to be consistent with the goals and strategies of the Town Comprehensive Plan and, in addition to benefitting the party(s) seeking the amendment, the amendment must benefit the Town of Ancram as a whole and promote the general welfare of the community. This State law standard must be met in order for an amendment to be valid and to withstand any legal challenge. Under state law, in evaluating whether the standard is met, the Town Board must consider the Town Comprehensive Plan and also look at certain factors including:

- the size of the properties to be rezoned (the smaller the area of land to be rezoned, the more difficult it may be to establish community benefit);
- the benefit to the party(s) asking for the amendment;
- the benefit to the community as a whole;
- the character of the uses permitted by the proposed amendment (how consistent are they with the Town Comprehensive Plan); and
- the character of the surrounding neighborhood and the potential negative and positive impacts of the amendment on character of the surrounding area.

The requirements of this policy and the procedures established in this policy have not been selected at random. They are designed to assure that petitioners understand the standards which must be met and to ensure that the Town Board is provided with the information it needs in order to properly evaluate petitions for amendment.

**3. Important Considerations for the Petitioner(s):** Any amendment to the Zoning Law is a legislative act. The Town Board is under no legal obligation to adopt, or even consider, requests to amend the Zoning Law. As a Petitioner, you must agree to enter into this process with the awareness that the Town Board may not grant the amendment you seek. This process will require you to incur expenses. Any expenses you incur, including escrow contributions, will be your sole responsibility whether your petition is granted or not. In order to avoid incurring unnecessary expense, before drafting a petition, you should carefully review the legal and substantive standards which must be met, as they are described in this Policy Statement. It may be advisable for you to consult with a community planning professional and/or land use attorney before making an application to learn more about the strength of your case.

**4. Requirements:** Petitions which do not comply with the following requirements will not be accepted. All petitions must be in writing and contain the information as follows:

- a. Name and address of petitioning party(s) and the addresses and tax grid identifying numbers of all property owned by the petitioning party(s) in the Town of Ancram.
- b. Identification of the Zoning District(s) to be affected by the proposed amendment and an itemized list of all properties to which the proposed amendment would apply and which would benefit therefrom, including the names of property owners, property addresses and tax grid identifying numbers.
- c. Identification of all Zoning Districts contiguous to any Zoning District to be impacted by the proposed amendment.
- d. List of uses currently allowed under the existing Zoning Law as per Article III, both permitted by right and as authorized by special use permit, in any Zoning District to be impacted by the proposed amendment.
- e. A report containing narrative statements which provide the following information:
  1. The changes to the Zoning Law sought by the proposed amendment.
  2. The reasons for which the amendment is sought and how the proposed amendment will benefit the properties affected.

3. A detailed description of how the proposed amendment complies with the goals and strategies of the Town of Ancram Comprehensive Plan containing citations to the appropriate sections of the Comprehensive Plan.

4. A detailed description of how the proposed amendment will benefit the Town and community as a whole and promote its general welfare.

5. The size, location and character of the parcel or parcels benefitted by the proposed amendment.

6. A detailed description of the character of the land uses which surround the properties benefitted by the proposed amendment.

7. If the petition seeks to add a new use currently not allowed as per Article III or a use currently allowed in Ancram, but not in the particular location desired by the petitioner(s), a detailed statement describing the character of such new use to be permitted by the proposed amendment.

8. If the petition seeks to change a current requirement of this zoning law, but not a use, a detailed statement describing how an alteration of the requirement complies with the purposes stated in Article I (D) of this zoning law, and those district purposes stated in Article II of this zoning law.

9. Identification of any property or structure within an area to be rezoned which is on the State or Federal Register of Historic Places.

10. Identification of all special districts, protections, or designations within which an area to be rezoned is located.

11. Identification and location of all significant habitats as identified on the Town of Ancram Significant Habitats map which are in an area to be rezoned.

12. Identification of any other significant environmental or natural resources located within an area to be rezoned.

f. A Full Environmental Assessment Form (FEAF), Part 1.

g. In addition to the foregoing, the petition must comply with the disclosure requirements of Section 809 of the NYS General Municipal Law. That section requires disclosure of the name, residence and nature and extent of interest of any officer or employee of the state or the Town of Ancram who may have an interest in, or benefit by, the amendment of the Zoning Law pursuant to the petitioner.

h. A draft proposed amendment to the Town Zoning Law sufficient in both form and content to meet the requirements for a Local Law under the NYS Municipal Home Rule Law to accomplish both the proposed amendment to the Zoning Law and any amendments to the Town Zoning Map.

**5. Processing of a Zoning Petition.** The decision whether to accept a zoning petition and move it forward for formal consideration is a decision which lies in the sole discretion of the Town Board. If the Town Board decides to accept the petition for further consideration, the steps below will be followed:

**a. Agreement to Establish Escrow.** An escrow account shall be established by the Town Board sufficient to reimburse the Town for all reasonable out-of-pocket costs incurred by the Town in connection with its review and consideration of the proposed amendment, its SEQRA review, and the adoption of the amendment to the Zoning Law. All escrow deposits shall be governed by the provisions of LL#1 of 2004.

**b. Referral to the Planning Board.** Any petition accepted by the Town Board for review shall be referred to the Planning Board. The Planning Board will report its recommendations, accompanied by a full statement of the reasons for such recommendations, prior to a public hearing held by the Town Board.

**c. Subsequent to the recommendation by the Planning Board,** the Town Board will then decide whether to continue the process. If the Planning Board fails to report within a period of 45 days from the date of receipt of notice or such longer time as may have been agreed upon by it and the Town Board, the Town Board may act without the Planning Board's report.

**d. If the Town Board chooses to continue the process,** the Town Board will conduct a public hearing and will also obtain the advice of its attorneys on the form and content of the amendment.

**e. The Town Board will also conduct an environmental review** as required by the State Environmental Quality Review Act (SEQRA). The Town Board will refer the proposed amendment to the Columbia County Planning Department as required by Section 239-m of the New York State General Municipal Law.

**f. As per Town of Ancram Zoning Law,** petitioners should be aware that if a protest against the proposed amendment is presented to the Town Board in accordance with Article XII (Protest by Owners), then the Town Board shall not pass the zoning amendment except by the favorable vote of at least  $\frac{3}{4}$  of the Town Board.

**10) Resolution of the Town of Ancram Town Board Introducing Local Law No. 4 of 2021, a proposed "Local Law Amending Miscellaneous Provisions of the Town of Ancram Zoning Law."**

**Whereas:** 1. This resolution introduces a proposed new local law (LL No. 4 of 2021) that amends various sections of the Town of Ancram Zoning Law (the "Zoning Law").

2. The zoning amendments are 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. The zoning law amendments in this local law are proposed to further implement the 2019 Town of Ancram Comprehensive Plan that established the need and direction for further protecting the unique environment in the Town, and to further the vision and goals established by the Community.

4. The Town's Zoning Review Committee (ZRC) thoroughly discussed all proposed language in coordination with the Town's Conservation Advisory Council, Town Planner, and Town Attorney.

5. Adoption of this local law is a discretionary action subject to SEQR.

In anticipation of the introduction of these amendments, the Town Board directed Nan Stolzenburg, AICP, 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) for adoption.

Ms. Stolzenburg has prepared a separate EAF Part 1 for the proposed local law and presented it to the Town Board for our review and consideration.

A copy of the EAF Part 1 is attached as Exhibit B.

Pursuant to New York State Municipal Home Rule Law § 20, Local Law No. 4 of 2021 as described herein was received by each member of the Town Board prior to this meeting via email, and the 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.** For the reasons set forth in this Resolution, and pursuant to New York State Municipal Home Rule § 20 and Article XII of the Town of Ancram Zoning Law, the Town Board hereby introduces Town of Ancram "Local Law No. 4 of 2021, Local Law Amending Miscellaneous Provisions of the Town of Ancram Zoning Law.

**Section B.** Pursuant to provisions of SEQRA the Town Board hereby determines to classify the adoption of the proposed new local 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 EAF Part 1 for LL No 4 of 2021 for the proposed actions which have been prepared by the Town's planning consultant.

**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.** The Town Board hereby directs that the proposed amendments to the Zoning Law (LL No. 4 of 2021) be referred to the Town of Ancram Planning Board for its review and for an advisory opinion pursuant to Town of Ancram Zoning Law Article XII entitled "Amendments," and subsection B entitled "Advisory Report by Planning Board." 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. The Town Board directs the Town Clerk to make the referral in Zoning Law Article XII (B).

**Section G.** In accordance with New York State Municipal Home Rule Law § 20(5), the Town Board hereby schedules a Public Hearing on \_\_\_\_\_, 2021, at \_\_\_\_\_ p.m. at to be held at the Town of Ancram Town Hall, located at 1416 County Route 7, Ancram NY 12502 to hear public comments on the proposed local law. 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 Town of Ancram Zoning Law Article XII(C) and directs the Town Clerk to cause

publication of a legal notice in the Town's official newspaper not less than ten (10) calendar days prior to the Public Hearing.<sup>3</sup>

**Section H.** The Town Board also directs the Town Clerk to send said public hearing notice to all adjacent municipalities not less than then (10) calendar days prior to the Public Hearing. **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, located at 1416 County Route 7, Ancram NY 12502, and the Roeliff Jansen Community Library, located at 9091 Route 22, Hillsdale NY 12529. **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.

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

**Resolution #74 of 2021: Introducing Local Law No. 4 of 2021, a proposed "Local Law Amending Miscellaneous Provisions of the Town of Ancram Zoning Law.:**

Whereas: 1. This resolution introduces a proposed new local law (LL No. 4 of 2021) that amends various sections of the Town of Ancram Zoning Law (the "Zoning Law").

2. The zoning amendments are 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. The zoning law amendments in this local law are proposed to further implement the 2019 Town of Ancram Comprehensive Plan that established the need and direction for further protecting the unique environment in the Town, and to further the vision and goals established by the Community.

4. The Town's Zoning Review Committee (ZRC) thoroughly discussed all proposed language in coordination with the Town's Conservation Advisory Council, Town Planner, and Town Attorney.

5. Adoption of this local law is a discretionary action subject to SEQR. In anticipation of the introduction of these amendments, the Town Board directed Nan Stolzenburg, AICP, 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) for adoption. Ms. Stolzenburg has prepared a separate EAF Part 1 for the proposed local law and presented it to the Town Board for our review and consideration. A copy of the EAF Part 1 is attached as Exhibit B. 9 Pursuant to New York State Municipal Home Rule Law § 20, Local Law No. 4 of 2021 as described herein was received by each member of the Town Board prior to this meeting via email, and the 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.** For the reasons set forth in this Resolution, and pursuant to New York State Municipal Home Rule § 20 and Article XII of the Town of Ancram Zoning Law, the Town Board hereby introduces Town of Ancram "Local Law No. 4 of 2021, Local Law Amending Miscellaneous Provisions of the Town of Ancram Zoning Law.

**Section B.** Pursuant to provisions of SEQRA the Town Board hereby determines to classify the adoption of the proposed new local 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 EAF Part 1 for LL No 4 of 2021 for the proposed actions which have been prepared by the Town's planning consultant.

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. The Town Board hereby directs that the proposed amendments to the Zoning Law (LL No. 4 of 2021) be referred to the Town of Ancram Planning Board for its review and for an advisory opinion pursuant to Town of Ancram Zoning Law Article XII entitled "Amendments," and subsection B entitled "Advisory Report by Planning Board." 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. The Town Board directs the Town Clerk to make the referral in Zoning Law Article XII (B).

Section G. In accordance with New York State Municipal Home Rule Law § 20(5), the Town Board hereby schedules a Public Hearing on December 16, 2021, at 6:45 p.m. at to be held at the Town of Ancram Town Hall, located at 1416 County Route 7, Ancram NY 12502 to hear public comments on the proposed local law. 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 Town of Ancram Zoning Law Article XII(C) and directs the Town Clerk to cause publication of a legal notice in the Town's official newspaper not less than ten (10) calendar days prior to the Public Hearing. 3

Section H. The Town Board also directs the Town Clerk to send said public hearing notice to all adjacent municipalities not less than then (10) calendar days prior to the Public Hearing. 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, located at 1416 County Route 7, Ancram NY 12502, and the Roeliff Jansen Community Library, located at 9091 Route 22, Hillsdale NY 12529. 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.

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.

A motion was made by Councilman Clark and seconded by Councilwoman Hundt to approve the FEAF Part 1. Motion carried unanimously.

### **Highway Department**

Highway Superintendent Miller gave the following report:

Diesel Fuel Used: 865 gallons

Gasoline used: 374 gallons

\*We've been regrading, adding gravel and doing ditch work to dirt roads as weather allowed getting them in shape for winter.

\*We continued to have heavy rain and wind events to keep us busy checking culvert pipes and picking up trees and branches.

\* We've been busy blowing leaves from ditches and pipes to keep them clear.

\*We have begun stockpiling sand for the winter and replenishing our gravel pile as well.

\*We completed a minor paving project on a short section of Cottontail road with the help from Gallatin and Copake.

\*We have continued preparing our equipment for winter, putting them through NYS inspection, and going over plows and sanders.

\*We took harassment training on 11/1 also went over Lockout/tagout, fire extinguisher and dead animal procedures as required by recent PESH inspection. Also, the electrical issues that were cited have been taken care of by Ginnochio Electric.

Councilwoman Hundt spoke in regards to the Harassment training and concerns that she had that the training was not taken seriously by the highway Fdepartment. She was concerned that only one device was used for the entire department and not individual devices. She was concerned that there was a gun on the table in the breakroom. She felt it was inappropriate and says there were several people not happy with how the training went. Mr. Bassin stated that when the gun was brought to his attention, he looked into it and found that it was a VFW parade gun that was being put back into the safe that was kept in the back room for the VFW. Mr. Miller felt that a lot of this could be fixed if the department was given in person training as they had in the past. Councilman Boice wondered why others were watching other people taking the training instead of the person giving the training.

A motion was made by Councilwoman Hundt and seconded by Councilman Boice to approve the budget adjustments, approve the warrant and pay the bills. Motion carried.

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