

**Town of Ancram  
Town Board  
Regular Meeting  
April 21, 2022  
(Fully Zoom Meeting)**

**Present:** Supervisor Arthur Bassin                      Councilman Hugh Clark  
                 Councilwoman Bonnie Hundt                      Councilwoman Amy Gold  
                 Town Clerk Monica Cleveland  
                 Highway Superintendent James Miller

**Absent:** Councilman David Boice

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

Mr. Bassin noted that Councilman Boice was in Florida inspecting the new Town of Ancram Fire Truck and had gotten held up in the factory. Mr. Boice will join the meeting as soon as he is able.

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

**Resolution #18 of 2022: Local Law #3 of 2022 - Grievance Day:** Resolved, that the Ancram town Board adopts Local Law #3 of 2022 to set the annual Grievance Day for the Town on the first Wednesday following the fourth Tuesday of May at a time to be set each year by the Board of Assessment Review.

Supervisor Bassin asked at this time if there were any items on the agenda any member of the board wished to recuse themselves from. There were none.

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

At this time town attorney Elena DeFio Kean gave a report on the 1/20/2022 Lindsey presentation ie: report on disrespectful behavior. A full copy of the report is on file with the Town Clerks office. The report is 13 pages long. Ms. Kean reported that between Feb 12<sup>th</sup> and the month of April she personally interviewed twenty people. These consisted of town employees, town officials and town committee volunteers. She felt that all people interviewed were genuine and sincere in their comments. She looked at various documents including resolutions, the town ethics, the town handbook, emails, a proposed code of conduct, meeting minutes and other documents. Ms. Kean noted the following in the report: *Perceived dismissive behavior during Town and Committee meetings by way of individual tone or voice, chuckling or not being taken seriously. Talking over people when speaking during Committee and Board meetings. Planning Board member subjected to an inappropriate comment in February 2020*

*during a public meeting by an applicant, who also served on another Town committee. Pattern of behavior by a former Planning Board member that would talk over and/or dismiss opinions of individuals that were more environmentally conscious. Concerns that Board members would communicate directly with committee members if resident complaints are received instead of bringing concerns to the committee chairs. Being criticized for their conduct on volunteer boards/committees by other board/committee members attempting to influence their conduct. Improper action during recent trainings by Town employees. Brandishing a ceremonial gun during a training. Dismissing and opposing the work of a volunteer committee after substantial work was performed.*

Ms. Kean read off 25 recommendations. These can be found in the report which is on file in the Town Clerks Office. Ms. Kean read the following concluding paragraphs from the report:  
*In conclusion, Mr. Lindsey's comments and letter read into the record at the January 20th Town Board meeting did accurately convey the feelings and sentiments of multiple females that provide services to the Town of Ancram. The feelings of these individuals are genuine and sincere. While the comments and letter contained information that was less than accurate, they have resulted in an exposure of concerns felt by a significant number of individuals that have dedicated true time and energy in Town government for its betterment. Although it is clear that some individuals reasonably felt dismissed or treated disrespectfully, it also clear that the actions of many were not intending to be rude or disrespectful and are clearly a result of a lack of communication. Further, several of the issues at hand do not appear to be gender based but may be driven, intentionally or unintentionally, by political ideology. Further, the investigation revealed an overwhelming theme that if a member of the community complains, regardless of what their complaint is about, that it is already given immediate credence regardless of either side. As a result, parties quickly are attempting to move to address same without having full knowledge of the facts before them when making decisions. Apologies for Town conduct without all the facts have occurred. This creates a situation of angst and anxiety among employees, committee/board members as well as members of the public. A more thoughtful and consistent approach should be utilized moving forward. In conclusion, the Town Board of Ancram should be applauded for examining this issue and affording this exploration with no impingement on the investigation. While there was no finding of a violation of law or ethics, the investigation did reveal areas for potential improvement and consideration. These are set forth above.*

Councilman Clark thanked Ms. Kean for her professionalism in obtaining the facts of the situation and making thoughtful conclusions. Mr. Bassin felt that both the board and the public should take the next month to look over the report and digest it. The board will place its discussion on the next months agenda and will discuss a plan to proceed forward with. Councilwoman Gold reported on the ad hoc group who have been working on a code of conduct. She said that the proposal has been given to the town board members for review and stated that once completed could be added to the handbook. A committee will need to be established and there needs to be a zero tolerance for this behavior. Councilwoman Hundt felt that those concerns addressed are a long standing problem. She feels that there is more work to do and she supports going forward with the forming of a committee. Ms. Kean is at this time reviewing the proposed policy.

### **Court Audit:**

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

**Resolution #19 of 2022:** Town Court Audit: Whereas section 2019-a of the Uniform Justice Act requires that town justices annually provide their court records and dockets to their town auditing boards, and whereas the Ancram Town Court presented its records and dockets to the Town of Ancram Financial Advisory Council for audit on March 26, 2022, and whereas the Financial Advisory Council audited Ancram court records and dockets and found them to be in order, therefore, it is Resolved that the Ancram Town Supervisor will notify the Office of Court Administration that this audit was performed and will send a copy of this resolution and the audit documents to the Office of Court Administration.

Carol Falcetti noted to the board that during the court audit, it was questioned by FAC member Steve Olyha regarding a line of Outstanding Fines that totaled \$81,000. Ms. Falcetti reported that the Court Clerk Ruth Wittlinger says that this cannot be noted as a receivable and that there is no way to forcibly collect it. Mr. Bassin noted that he is aware of the amount and said that when he asked the court, he was told that this was outstanding fines and that the amount is an accumulation of many years. The only way some of these fines are collected is if the town suspends a persons license after multiple attempts to collect. Then, when a person goes to renew their license, they cannot. Ms. Gold asked if there was a way to find out if other towns have outstanding fines and what their amounts are. Mr. Bassin said he would ask.

### **EEP Contract**

It was suggested by the Ancram Hamlet Planning Group that the town contract with the county from Memorial day weekend to Labor Day weekend. The coverage suggested is one week day and one weekend day. Councilwoman Hundt asked if the town had to decide at this meeting. Mr. Bassin said they did if they wanted coverage for the end of May. Councilman Clark asked what the influence was of the radar signs. Mr. Bassin said it has been noted that the signs do have a calming effect in the hamlets. They are slowing people down. But, Mr. Bassin noted that they are no substitute for an officer and a car. He was in support of two patrols a week for the summer months.

A motion was made by Councilman Clark and seconded by Councilwoman Gold to contract with the Columbia County Sheriffs Office for an EEP for two days a week Memorial Day weekend through Labor Day weekend. Motion carried.

### **Solar System**

Mr. Bassin was in receipt of an estimate of \$7800 to change out all five solar inverters at the town hall. The electrical engineer felt that they have a life expectance of 10-15 years. The town initially spent \$25-\$30,000 towards a \$155,000 solar system ten years ago. This has saved the town \$24,000 over the ten years. The engineer felt that the town has about 10-12 years of life left in the current panels. Councilwoman Hundt asked that the CSCTF look at the cost of a completely new system. Mr. Bassin said that they are currently looking at solar panels for the garage and expanding solar panels at the town hall.

A motion was made by Councilwoman Hundt and second by Councilman Clark to allow the expenditure of \$7800.00 for new inverters for the Town Hall Building solar panels. Motion carried.

### **Climate Smart**

Mr. Bassin announced that the two BOSCH Air Source Heat Pumps had been installed at the town hall. The generator will be replaced in the fall and there is the possibility of changing out the third heating unit. Councilwoman Hundt questioned why the town had spent \$1900 on the current generator. Mr. Bassin answered that there was a part that had to be replaced and with the new generator not coming until fall, the town hall cannot be without a back up of some sort. Phil Hack of the technology committee recommended that the town look into a battery storage system as well.

### **Kids Camp**

Mr. Bassin noted that applications have gone out and that they are coming back in. The pool will be opening in July. Mr. Bassin also made the board aware that a sink hole has opened up on the ball field and that the highway department is on the case. It may be a rusted culvert pipe owned by the County.

### **Supervisors Report**

1) Financial Report – March financial results were as expected, but given the likely continuation of a combination of high inflation, rising interest rates, supply chain uncertainties, oil price spikes, potential oil shortages and the situation in Ukraine, the economic environment has become unpredictable and could negatively impact our costs and revenues. We should plan to be cautious and conservative in our financial planning for the until we see how things evolve, and what happens with sales tax and mortgage tax revenues.

2) Attorney Report – Lindsey Presentation – Attorney Elena DeFio Kean has completed a draft of her report looking into the comments made by Jack Lindsey at our January Board meeting, and will present a summary of her findings at our meeting on 4/21.

3) 2023 Property Revaluation – The data collection phase of the 2023 revaluation is progressing well. We have been asked by NYS to update our 2019 resolution authorizing the revaluation to reflect that it will be as of 2023, not 2022 as originally planned.

4) Town Audits - FAC has completed the annual audits of the Town Court, Building Department, Planning Board and Town Supervisor using the NYS Comptroller's Department audit checklists. All books and records are reported to be in good order and fairly reflect the financial condition of the Town. The Town Clerk/Tax Collector audit will be done in June after the tax books are closed for the 2022 calendar year.

5) Kids Camp & Pool – Planning continues to open the town pool and Kids Camp this summer, as long as the Covid-19 situation does not force us to reconsider. Camp will be open from July 5 to

August 12, and the pool will be open from July 5 to the end of August. We have circulated information to the Community and are accepting applications for camp.

6) EEP Contract/Traffic Control – We have approved the 2022 EEP contract with the Sheriff's Department and have \$12,000 in the budget for EEP, which will cover two shifts a week for 12 weeks or one shift a week for 24 weeks. We have not yet scheduled any EEP patrols, and should discuss if we want to do this now or wait a while longer.

7) Solar Inverters – We received a proposal to replace the five 11 year old solar inverters at Town Hall for a cost of about \$8000. The inverters are out of warranty, and the solar contractor cannot repair them. One of the inverters are making a buzzing noise indicating that the transformer is failing, and a second is intermittently showing a red warning light indicating it is not operating. I have talked to an electrical engineer at CPL Engineering who is familiar with solar installations and inverters who confirms that inverters have a 10-15 year useful life and that if two of our five are showing signs of wear and tear that cannot be repaired, its time to replace them to maximize our solar benefit.

8) ASHP HVAC Installation – The installation of the two air source heat pumps at Town Hall is scheduled for Monday, 4/18 and is expected to take two days

Mr. Bassin also noted that he had proposed to the town board that the town not replace the building manager and that instead himself and the town clerk will fill in where needed.

### **Board Member Comments**

Councilman Clark said that after 80 meetings, the ZRC will be taking a few weeks off for a much needed break.

Councilwoman Gold said that she is continuing on research in regards to the use of road salt. She has been in contact with Vickie Kelly at the Cary Institute. She noted that the Town of Rhinebeck is using brine instead of salt and thought maybe the Highway Superintendent could visit them. Mr. Bassin would like to know how the use of a 25% Brine mix compares to the Town's formula of 2/3 sand to 1/3 salt mix.

Councilwoman Hundt reported on the town wide meeting on the housing crisis. There were 20 people in attendance. It was an informational meeting and will be on the town website.

Councilwoman Hundt noted that there is a rumor going around that the First Amendment Auditor who visited the Town Hall was associated with her. She said that she wanted to come out and personally say for the record that she did not send the First Amendment Auditor person to the town hall.

### **Highway Report**

\*Diesel Fuel used: 955 gallons

\* Gasoline used: 559 gallons

We conducted snow and/or ice removal operations on a total of 6 separate days in the month of March and we've been lucky with none so far in April.

We have been readying the trucks for summer work season and putting plow equipment into storage.

There have been a couple of heavy wind and rain events bringing down trees and that caused minor flooding. One on 4/7&8 brought down numerous trees and a culvert on Shepard Rd flooded caused by debris that blocked the culvert causing erosion and completely exposing the pipe severing a coupler that joined two sections. We got the road reopened by putting in a new smaller pipe inside the one that remained in place. Permanent repairs will have to be done later this year.

Another large culvert rusted through on Over Mountain road forcing closing the road until repairs could be made. It took a week to get delivery of a new pipe and we rented an excavator to do the installation. The road was reopened to traffic on 4/14. The cost for this was around \$6,100.00. We will also be doing some tree stump removal and ditch work further up the hill on Overmountain while the excavator is here.

I hope to begin grading the dirt roads soon. It has been delayed due to the culvert replacement and wet weather.

CHIPS money: with the passage of the State budget, it looks like we are going to get around \$300,000 or roughly what we received last year. We haven't gotten the final exact numbers yet. I received a second quote on a salt-sand shed capable of holding our yearly usage from Eagle Associates of Cazenovia NY for \$175,000. This is substantially less than the earlier quote from Hybrid Building for \$242,171.00.

The order we placed for a pickup was abruptly cancelled by the manufacturer. The reason given was that because we had purchased vehicles under a fleet order and Ram isn't selling to fleets at this time period. No other explanation given.

The dealer is frustrated as well. He says he can order one under an individual's name but not the town's. The new price has increased slightly to \$52,510.00 which is about \$800 more than was approved a couple of months ago. He has placed the order under my name with no obligation to take it if not approved. I think, to comply with state municipal purchase laws, we are going to rebid the truck and they will have to submit a bid for the purchase. This will open it up for others to submit a bid but that's fine.... We may get a better deal.

Bucket truck- I exchanged emails with the company I am told that Ford hasn't scheduled a build date on the chassis. I suspect that we won't be able to get the truck at all given the whole new vehicle situation and escalating prices. Manufacturers simply are not offering municipal discounts when there is such a demand. Nobody seems to have an answer as to when this may change.

This year's highway school will be held June 6-8 in Ithaca.

Councilwoman Hundt asked if the replaced culverts were on the replacement list. Mr. Miller says they were not.

Councilwoman Hundt addressed the purchase of a Van for the Neighbors food distribution program. The group is considering a Mercedes Van with no backseat at a cost of \$41,000.

A motion was made by Councilwoman Hundt and seconded by Councilwoman Gold to allow a down payment of \$500 be placed on a Mercedes Van to be purchase by the Town of Ancram for use by NHN. Motion carried.

Highway Superintendent Miller questioned whether if the town was the purchaser of the Van, even if being used by NHN, did the town not have to go through the bid process. It is still, as he saw it, a municipality purchasing a vehicle. Mr. Bassin said that was a good question and that he would look into it.

### **Town Clerk**

Town Clerk Cleveland said that contractor Bob Reed had been to the town hall to look at the town clerks door for a replacement. The door suggested is a Dutch style where the bottom can be closed with the top open. Mr. Reed is going to order two doors, so that a matching door can also be placed on the Assessors office door.

A motion was made Councilwoman Hundt and seconded by Councilman Clark to allow for the expenditure of \$7500.00 to purchase and install two Dutch doors at the town hall, one on the Town Clerks office and one on the Assessors office. Motion carried.

Ms. Cleveland also noted that she would like to look into expanding the camara system in the town hall and having monitors put in other offices. The technology team will look into this.

Ms. Cleveland also noted that now that the town is reopened to the public, she would like to see the windows washed and the carpets steam cleaned.

Mr. Bassin reported that the next proposed resolution is for “housekeeping” purposes. Mrs. Cleveland stated that Local Law #5 of 2021 had been passed in December of 2021 but because it had to have a permissive referendum with a 45 day petition period, the town couldn’t file it until 2022. Because of this, the State sent it back requesting a renumbering.

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

**Resolution #20 of 2022:** Local Law #2 of 2022 – Elected Official Salaries: Resolved, that the Ancram Town Board revises the initial numbering for Local Law #5 of 2021, which approved 2022 salaries for certain elected officials, and was adopted on December 16, 2021 and required a 45 day period to allow for a permissive referendum, to Local Law # 2 of 2022, to reflect that this local law will be filed with the NYS Department of State in 2022 and requires a 2022 local law designation number.

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 #21 of 2022:** Town Audits: Resolved, that the Ancram Town Board acknowledges that members of the Ancram Financial Advisory Council conducted audits of the 2021 books and records of the Building Department and Planning Board on March 26, 2022 and the books and

records of the Town Supervisor on March 30, 2022, acting in accordance with the provisions of Town Law Section 123, and using the guidelines and checklists outlined in the Office of the New York State Comptroller's January 2010 publication "Fiscal Oversight Responsibilities of the Governing Board", and found, in their opinion, the books and records referred to above, present fairly the financial position of the audited departments of the Town of Ancram as of December 31, 2021.

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 #22 of 2022:** RESOLUTION SUPPORTING TOWN ASSESSOR IN UPDATING OF 2023 ASSESSMENT ROLL - WHEREAS, the Ancram Town Board supports the efforts of its Town Assessor, Rene DeLeeuw, in updating of the Town's 2023 Assessment Roll and maintenance of such Assessment Roll at full-market value, and WHEREAS, the Town Board supports the allocation of sufficient resources for Town staff and services to complete the project, NOW, THEREFORE, BE IT RESOLVED, that the Ancram Town Board hereby expresses its support of its Town Assessor, Rene DeLeeuw, in updating of the Town's 2023 Assessment Roll and maintenance of such Assessment Roll at full-market value, and authorizes the allocation of sufficient resources for Town staff and services to complete such project, and BE IT FURTHER, RESOLVED, that the Town Board further requests that the New York State Office of Real Property Tax Services and the Columbia County Real Property Tax Service Agency provide assistance that is typically afforded during such projects to the Ancram Town Assessor, and BE IT FURTHER, RESOLVED, that the Town Board further authorizes and directs the Town Assessor to send a certified copy of this Resolution to the New York State Office of Real Property Tax Services and the Columbia County Real Property Tax Service Agency and authorizes and directs the Town Supervisor, Town Assessor and/or Town Clerk to take such other and further actions as may be necessary to effectuate the terms of this Resolution.

A motion was made by Councilwoman Hundt and seconded by Councilwoman Gold to approve the budget adjustments. Motion carried by unanimous roll call vote. Budget adjustments are on file with the Town Clerk.

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

### **Public Comments**

Ms. Carol Falcetti addressed what she saw as a problem with water in the Town of Ancram Hamlet. She said that this is an issue that the town needs to look into as it concerns water shortages. She felt that there may need to be a town policy regarding water supply. Mr. Clark noted that both the 2019 and 2010 Comprehensive Plans have hydrogeologic studies within the documents. The regulations are within the town zoning law.

There being no more business before the board, a motion was made by Councilwoman Hundt and seconded by Councilwoman Gold to adjourn the meeting. Motion carried.

Respectfully submitted by,

Monica R. Cleveland  
Ancram Town Clerk

DRAFT