

**Town Board
Town of Ancram
Regular Meeting
November 16, 2023**

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

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

Mr. Bassin asked 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 Councilwoman Hundt to approve the minutes of the previous meetings as read and place them on the record. Motion approved.

At this time, Mr. Clark guided the Town Board members through the process of filling out the Full Environmental Assessment Form Part One as it pertains to Local Law #6 of 2023. A motion was made by Councilman Clark and seconded by Councilwoman Gold to approve the document as filled out and to authorize Supervisor Bassin to sign on behalf of the town. Motion carried.

Mr. Clark now guided the Town Board through the process of filling out the Full Environmental Assessment Form Part Two as it pertains to Local Law #6 of 2023. A motion was made by Councilman Clark and seconded by Councilwoman Hundt to approve the form as filled out. Motion carried.

Committee Reports

Housing Committee

Councilwoman Hundt gave a report on the Housing Committee. They have met with several groups including the tri-town group. The committee is reviewing local laws recently passed by the Town of Copake in regards to changes to the Copake Zoning law which will help facilitate more affordable housing in that town. In regards to the pro-housing committee organization, a letter of intent has been sent and the committee is waiting to hear back. She also noted that they have heard that in the town of Woodstock, there is a home sharing initiative that they are using and it is a idea the committee is going to research. The committee is planning a public forum at the Roe Jan Library possibly in January.

Mrs. Donna Hoyt Asked about changes that could be made to zoning and suggested that zoning outside the village limits be considered. Councilwoman Hundt said that this would have to be approached first by the ZRC. She noted that the changes Copake made were in regards to accessory buildings, designations for public servants and items like that. Councilman Clark, ZRC chair, felt that this was something to look at but he did not feel that it was appropriate to accept a copy of a Local Law from another town at face value. Mr. Jim Stickle asked if the committee knows how many homes are needed.

He suggested that instead of clustering all of the homes together, why not spread them out throughout the town.

Supervisors Report

- 1) Financial Report – Another normal financial month. The YE 2023 fund balance projection (cash plus T-Bills) is \$1,271,000, up about \$100,000 from our previous projection. T-Bills and Building Department fees continue to be strong.
- 2) 2024 Budget – We will hold a public hearing on the 2024 Budget at 6:45 pm on 11/16, prior to the Town Board meeting. An overview of the proposed 2024 budget, a summary of major variances and an updated 2024-2028 Capital Plan are part of the Background Materials for the 11/16 Town Board meeting.
- 3) Local Law #6 of 2023 (Zoning Amendments) – We will also hold a public hearing on LL#6 of 2023 at 6:30 pm on 11/16.
- 4) Revaluation – We will get an update on our Article 7 and Article 78 matters from Attorney Jon Tingley in executive session at the 11/16 Board meeting. Attorney Tingley is working on negotiating a settlement related to the Long Lake matter and may have a proposal for us to consider for approval at the 11/16 TB meeting.
- 5) NYS Mandatory Training – 50 people attended the three sessions of the mandatory preventing sexual harassment, preventing workplace violence and lactation training, which was conducted by Columbia County trainer Holly Hedgepeth. The training was well received.

Mr. Jim Stickles asked about the Health Care plan and if the price went up. Mr. Bassin said that due to some changes made by the employees, the insurance will remain flat to 2023. Mrs. Donna Hoyt asked about the \$67,000 grant to the Opera house and if that money has come out of the fund balance. Mr. Bassin noted that it has not been paid yet and will not be paid until a building permit is issued.

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

Resolution #58 of 2023: Adoption of 2024 Final Budget - Resolved, that the Ancram Town Board adopts the 2024 Town Budget with a Town tax levy of \$714,203, and a Lighting District tax levy of \$5,500.

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

Resolution #59 of 2023: 2024 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 eligible employees' HSA in January 2024, 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 in 2024 until the policy deductible has been reached and the health insurance policy covers medical expenses, and be it further resolved that the Town of Ancram will reimburse any eligible employee and spouse for costs incurred to purchase health insurance through Medicare up to the amount that it would cost the Town to provide a CDPHP policy, and be if further resolved that any employee or retiree eligible for health insurance who opts out of the Town program or in the case of a retiree, if the Town does not offer a retiree program, will be reimbursed \$400 per month.

Mr. Bassin noted that the final election results will be final in the first part of December as there is going to be a hand recount for the Ancram Councilman position.

Board Member Comments

Councilman Boice said that he has heard from many people their dislike for campaign signs.

Councilwoman Gold spoke on the progress for the Copake Rapid Care. CMH is committed to reopening the site and has now begin campaigning for donations through the CMH site. Mrs. Jenn Boice asked if the town could donate some money to the endeavor. Mr. Ronan Moloney suggested that the \$67,000 grant be sent to the Rapid care because in his opinion the Rapid care is used by many more people in the community. Councilwoman Gold felt that the town could do both.

Councilwoman Gold reported on the intersection issue. She said that she has been reaching out to the Columbia County Highway Department and they are not responding. She asked if Mr. Boice and Mr. Miller could possibly reach out to the County as well. When asked what the town is attempting to mitigate, Mrs. Gold said that they are looking to have the slip way in front of the Simons Store made into a one way and a no left turn.

Highway Department Report

Diesel Fuel 243 Gallons

Gasoline Used 343 Gallons

-We had to do an emergency culvert replacement on Overmountain Road after a hole appeared at the road edge with evidence of the road settling. Upon further inspection, a cobbled together pipe had deteriorated and allowed undermining of the road. The unplanned cost of the repair was \$5890.00 for the culvert pipe. We replaced it in one day with assistance from the Town of Copake and their excavator.

-Leaf blowing has been ongoing to keep ditches and culverts clear.

-Completed roadside bank stabilization project after severe erosion from heavy rains last summer on Catalano Road.

-We have been doing maintenance of the plow trucks to get them ready for the winter and through NYS inspection.

-Progress on the Salt Shed. We completed the floor last week with help from Gallatin, Copake and Taghkanic hauling blacktop. The final coat of this finishing step was \$9533.25 for the blacktop and \$1200.00 to rent a small roller for a total of \$10,733.00. We will begin stocking it after the blacktop has cured in another week or so.

-I have applied for our remaining 2023 CHIPS allocation of \$133,747.24 which should come in mid December

Town Clerk

The Town clerk gave a report on 3 dog licenses sold as well as 15 copies of certificates. She reported that she took part in the Pine Plains PTA Boo-Through on behalf of the town. She invited all who wished to come to help lay wreaths in Evergreen Cemetery on December 16th at 12noon for the wreaths across America program

A motion was made by Councilman Clark to approve the following budget adjustments:

To: 1420.4- \$5000, 1620.4- \$4000, 3120.3- \$800, 7310.4- \$1,000, 1620.1- \$1500, 5132.21- \$5,000, 9010.8GF- \$900, 9010.8H- \$2,100, 8010.11- \$3,000, 1680.4- \$3,000

From Fund Balance- \$26,300.00

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

Public Comments

Mrs. Donna Hoyt asked about the lighting district costs and why Ancramdale does not have a lighting district as well. Mr. Bassin will call the AOT about this.

At this time, Councilman Clark made the following motion: I move that the TB enter into executive session to discuss current litigation with Chernoff, Weiner et al. Motion seconded by Councilman Boice and carried unanimously.

Executive Session

A motion was made by Councilwoman Hundt and seconded by Councilwoman Gold to reconvene the regular town board meeting following an executive session where the town board discussed current litigation with Chernoff, Weiner, et al. Motion carried.

Councilwoman Clark offered the following resolution which was seconded by Councilman Boice. Resolution carried by a unanimous roll call vote.

Resolution #60 of 2023: RESOLUTION AUTHORIZING AND DIRECTING

SETTLEMENT OF LITIGATION:

CHERNOFF, et al. v. TOWN OF ANCRAM et al.

WEINER, et ano v. ASSESSOR et al.

WHEREAS, forty-seven (47) petitioners, set forth in Table 1, below, commenced a proceeding pursuant to Article 78 of the Civil Practice Law & Rules (“CPLR”) and Article 7 of the Real Property Tax Law (“RPTL”) against, among others, the Assessor of the Town of Ancram, the Board of Assessment Review of the Town of Ancram, and the Town of Ancram (collectively, the “Town”) in Supreme Court, Columbia County, bearing caption In the Matter of the Application of Carl Chernoff, et al. v. Town of Ancram, et al., and Index No. E012023020904, in which such petitioners seek annulment of the 2023 assessment roll prepared following the town-wide revaluation, as well as a reduction of the 2023 assessments on the thirty-five (35) properties such petitioners own identified in Table 1 below (hereinafter, the “Chernoff Proceeding”); and

WHEREAS, in addition to the Chernoff Proceeding, Robert A. Weiner and Nancy C. Weiner commenced a proceeding pursuant to Article 7 of the RPTL against the Town in Supreme Court, Columbia County, bearing caption In the Matter of the Application of Robert A. Weiner, et ano v. Rene DeLeeuw, as Assessor of the Town of Ancram, et al., and Index No. E012023020697, in which such petitioners seek reduction of the 2023 assessment on property they own identified as Tax Map Parcel No. 197.-2-13.120 (hereinafter, the “Weiner Proceeding”); and

WHEREAS, it is determined to be in the best interest of the Town of Ancram to resolve the Chernoff Proceeding and Weiner Proceeding by reducing the assessments for the subject properties as follows:

TABLE 1 – CHERNOFF PROCEEDING

PETITIONER TAX PARCEL TOTAL CURRENT ASSESSMENT REDUCTION FINAL ASSESSMENT LAND ASSESSMENT

Lana Hirsch	197.-2-8.120	\$633,000	\$90,000	\$543,000	\$0.00
Adam Albin	197.-2-16.112	\$589,000	\$90,000	\$499,000	\$0.00
William Walters	197.-2-17.200	\$658,000	\$90,000	\$568,000	\$0.00

TABLE 1 – CHERNOFF PROCEEDING

PETITIONER TAX PARCEL TOTAL CURRENT ASSESSMENT REDUCTION FINAL ASSESSMENT LAND ASSESSMENT

Carl Chernoff 197.-2-16.200 \$589,000 \$90,000 \$499,000 \$0.00
John Dietz 197.-2-13.111 \$633,000 \$90,000 \$543,000 \$0.00
Catherine and Lindsay
Fisher 197.-2-17.112 \$589,000 \$90,000 \$499,000 \$0.00
Wendy Freedman 197.-2-6.111 \$589,000 \$90,000 \$499,000 \$0.00
Cheryl Friedman 197.-2-10.112 \$589,000 \$90,000 \$499,000 \$0.00
Nancy Gluck 197.-2-17.120 \$589,000 \$90,000 \$499,000 \$0.00
Allen Kessler 197.-2-8.111 \$640,000 \$90,000 \$550,000 \$0.00
Richard Greenwald 197.-2-9.112 \$589,000 \$90,000 \$499,000 \$0.00
Irwin Hirsch and Willa
Cobert-Hirsch 197.-2-6.200 \$589,000 \$90,000 \$499,000 \$0.00
Audrey and Dean Irwin 197.-2-7.112 \$547,000 \$58,000 \$489,000 \$0.00
Siddesh and Zalma
Karmali 197.-2-16.120 \$589,000 \$90,000 \$499,000 \$0.00
Harry and Jan Katz 197.-2-9.120 \$633,000 \$90,000 \$543,000 \$0.00
Alan Kaufman 197.-2-10.120 \$633,000 \$90,000 \$543,000 \$0.00
Scott Kornberg 197.-2-15.200 \$633,000 \$90,000 \$543,000 \$0.00
Rafael Levites 197.-2-10.111 \$589,000 \$90,000 \$499,000 \$0.00
Kin Liu and Paula Huie 197.-2-8.112 \$589,000 \$90,000 \$499,000 \$0.00
Irene Lovitz 197.-2-14.200 \$589,000 \$90,000 \$499,000 \$0.00
Harold Magid and Julie
Molk 197.-2-14.111 \$589,000 \$90,000 \$499,000 \$0.00
Robert and Susan
Mellman 197.-2-6.112 \$589,000 \$90,000 \$499,000 \$0.00
Robert Paley and Leslie
Schneier 197.-2-12.111 \$568,000 \$90,000 \$478,000 \$0.00
Deborah Rabina and
Saul Bardosh 197.-2-4.111 \$568,000 \$90,000 \$478,000 \$0.00
Richard Robbins 197.-2-10.200 \$633,000 \$90,000 \$543,000 \$0.00
Ira and Norma Sax 197.-2-7.200 \$633,000 \$90,000 \$543,000 \$0.00

TABLE 1 – CHERNOFF PROCEEDING

PETITIONER TAX PARCEL TOTAL CURRENT ASSESSMENT REDUCTION FINAL ASSESSMENT LAND ASSESSMENT

Susan Sarlin 197.-2-14.112 \$589,000 \$90,000 \$499,000 \$0.00
Allen Scherl 197.-2-9.200 \$633,000 \$90,000 \$543,000 \$0.00
Phyllis Schlesinger 197.-2-7.120 \$568,000 \$90,000 \$478,000 \$0.00
Martin Schwartz 197.-2-15.112 \$547,000 \$58,000 \$489,000 \$0.00
Andrew Silver 197.-2-1.200 \$589,000 \$90,000 \$499,000 \$0.00
Howard Slavin 197.-2-13.112 \$633,000 \$90,000 \$543,000 \$0.00
Robert Teitelbaum 197.-2-15.120 \$589,000 \$90,000 \$499,000 \$0.00
Steve Solomon 197.-2-13.200 \$568,000 \$90,000 \$478,000 \$0.00
Karen Zier and Walter
Williamson 197.-2-15.111 \$568,000 \$90,000 \$478,000 \$0.00

TABLE 2 – WEINER PROCEEDING

PETITIONER TAX PARCEL TOTAL CURRENT ASSESSMENT REDUCTION FINAL ASSESSMENT LAND ASSESSMENT

Robert Weiner and
Nancy Weiner 197.-2-13-120 \$633,000 \$90,000 \$543,000 \$0.00

AND WHEREAS, it is determined to be in the best interest of the Town of Ancram to resolve the Chernoff Proceeding as outlined in Table 1, above, on the conditions that Real Property Tax Law § 727 shall apply in the years 2024, 2025, and 2026; that any refunds of taxes paid that are due to petitioners as a result of such resolution shall be payable without interest if payment is made by the applicable entity responsible for such refunds within sixty (60) days of service upon it of a copy of an Order executed by the Court reflecting such reduction of the assessments for the properties for the year at issue with notice of its entry; and that the claim(s) brought pursuant to CPLR Article 78 is/are dismissed with prejudice; and

WHEREAS, it is determined to be in the best interest of the Town of Ancram to resolve the Weiner Proceeding as outlined in Table 2, above, on the conditions that Real Property Tax Law § 727 shall apply in the years 2024, 2025, and 2026; and that any refunds of taxes paid that are due to petitioners as a result of such resolution shall be payable without interest if payment is made by the applicable entity responsible for such refunds within sixty (60) days of service upon it of a copy of an Order executed by the Court reflecting such reduction of the assessments for the properties for the year at issue with notice of its entry;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ancram in regular session duly convened as follows:

1. The Town Board approves the settlement of the Chernoff Proceeding as set forth in Table 1, above, on the conditions that Real Property Tax Law § 727 shall apply in the years 2024, 2025, and 2026; that any refunds of taxes paid that are due to petitioners as a result of such resolution shall be payable without interest if payment is made by the applicable entity responsible for such refunds within sixty (60) days of service upon it of a copy of an Order executed by the Court reflecting such reduction of the assessments for the properties for the year at issue with notice of its entry; and that the claim(s) brought pursuant to CPLR Article 78 is/are dismissed with prejudice. The Town Board hereby authorizes and directs the law firm of Gilchrist Tingley, P.C., as attorneys for the Town in the Chernoff Proceeding, to execute any documents and take any further steps necessary to settle the Chernoff Proceeding in accordance with this Resolution.
2. The Town Board approves the settlement of the Weiner Proceeding as set forth in Table 2, above, on the conditions that Real Property Tax Law § 727 shall apply in the years 2024, 2025, and 2026; and that any refunds of taxes paid that are due to petitioners as a result of such resolution shall be payable without interest if payment is made by the applicable entity responsible for such refunds within sixty (60) days of service upon it of a copy of an Order executed by the Court reflecting such reduction of the assessments for the properties for the year at issue with notice of its entry. The Town Board hereby authorizes and directs the law firm of Gilchrist Tingley, P.C., as attorneys for the Town in the Weiner Proceeding, to execute any documents and take any further steps necessary to settle the Weiner Proceeding in accordance with this Resolution.

There being no more business before the board, a motion was made by Councilman Clark and seconded by Councilman Boice to adjourn the meeting. Motion carried.

Respectfully submitted by,

Monica R. Cleveland, RMC
Town Clerk, Town of Ancram