

**Town of Ancram
Town Board
Regular Meeting
June 20, 2024**

Present: Supervisor James MacArthur Councilman David Boice
 Councilwoman Bonnie Hundt Councilwoman Amy Gold
 Councilwoman Colleen Lutz Town Clerk Monica Cleveland, RMC
 Highway Superintendent James Miller
 Town Council Elena DeFio Kean, Esq

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

All members of the Town Board were present.

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

A motion was made by Councilman Boice and seconded by Councilwoman Gold to approve the minutes. Mr. MacArthur called for any discussion. Town Clerk Cleveland noted that Councilwoman Hundt had asked for a correction to be made in regards to her housing report. The section that reads that the town was in receipt of a grant should be struck out and read Ancram was one of only two towns in Columbia County to receive the Pro-Housing designation.

A motion was made by Councilwoman Lutz and seconded by Councilwoman Hundt to approve the May minutes the above noted correction. Motion carried unanimously.

**Supervisors Report
June 2024**

Highway Tractor

After receiving damage during roadside mowing, the Highway Tractor was taken for possible repair. We were told that the mower is too damaged to repair and the insurance company sent us a check for approximately \$14,000.00.

Pavilion

The committee overseeing the updates to Blass Park are still looking at options for the Pavilion. The Committee put out an ad for an RFP and have yet to report they have received any responses. The tent will be going up in the next few weeks in the spot the pavilion will be located. Camp will continue as normal at the park.

Positions Open

The town is advertising for the following positions: Deputy Planning and Zoning Clerk, Deputy ZEO/CEO and Cleaning Person.

Escrow

I continue to work with the Planning and Zoning Boards to streamline the Escrow process for those two boards. Under guidance from our town Attorney Elena Kean, I have reached out to Councilwoman Lutz to serve as the Town Board liaison to the Planning and Zoning Boards. Mrs. Lutz has served on the Planning Board in the past and has also worked as the clerk to both boards.

Vault

I continue to assist the Town Clerk with the cleaning out of stale documents from the vault. We are using the state records management manual to guide us in what we are required to keep by law.

Truck Body and Truck Bond

We are in the end stages for the truck bond at Greene County Bank. The closing is scheduled for Monday morning.

Coffee Time

I will be hosting another Cup of Joe with Jim on July 6th. I'll be at the Ancram Little Store 10-11 and the Farmer's Wife 11:15-12:15. I look forward to seeing all of you. And as always, my office door is always open.

The Supervisor provided the Summary Financial Report dated May 31, 2024 to the Town Board members and the public.

A motion was made by Councilwoman Hundt and seconded by Councilwoman Gold to appoint Colleen Lutz the liaison from the Town Board to the Town Planning and Zoning Boards. Mr. MacArthur called for discussion. Councilman Boice asked what a liaison means? Mr. MacArthur said that she will act as a line between the Zoning and Planning Boards and the Town Board. She will not be an actual member of those boards. There being no more discussion, Mr. MacArthur called for a vote. Lutz- Yes, MacArthur- Yes, Boice- Yes, Gold- Yes, Hundt- Yes. Motion carried unanimously.

A motion was made by Councilman Boice and seconded by Councilwoman Lutz to approve the supervisors report. There being no more discussion, Mr. MacArthur asked for a vote. Lutz- Yes, MacArthur- Yes, Boice- Yes, Gold- Yes, Hundt- Yes. Motion carried unanimously.

Highway Report

The highway superintendent James Miller gave the following monthly report:

Diesel Fuel Used: 544 gallons

Gasoline used: 404 gallons

We attended our annual safety training day in Chatham. Topics covered this year were: Safety Harness usage on various aerial apparatus, 3 points of contact, First Aid, Hand safety, Hydraulic safety and Workplace violence. This training, sponsored by the county Highway Superintendents Assn fulfils the DOL requirement for public worker safety.

The paving of Crest Land and Town and Maple in Ancramdale, was completed yesterday. We still have a number of smaller projects to do with our paver and Chip Sealing to do later this summer.

We won a raffle put on by PERMA who is the Town and County Workman's Comp carrier and gave one of the courses offered at safety day. We won approximately \$3000 worth of work zone signs, traffic cones and other personal protective equipment.

I would like to thank the town of Taghkanic and Gallatin for their assistance getting our first round of roadside mowing done following the incident that put our mower out of commission.

I have gotten quotes on various options to replace our mower which is not worth the cost to repair, in my opinion. We will be getting \$14,380.00 from our insurance company for the old mower. United Ag and Turf: replace the old mower with a new one. They now handle two brands.... Alamo for \$44,117.00 and Diamond for \$37,615.60. Lead time on each is 28 and 20 weeks respectively. Trius out of Queensbury handles Tiger mowers and could supply one on a John Deere 5090E tractor for \$110,197.00. They have 9 month lead time. Montage Enterprises out of New Jersey can supply a Kutmore mower for \$35,519.80 or the same mower mounted on a New Holland Powerstar 75 tractor for \$93,743.00/ Lead Time 4-8 weeks.

We continue hauling and stockpiling gravel and stone.

The employee who has injured his back has been out since 4/18 and is still out.

Zwack Inc. the vendor for the equipment on the new plow truck has requested that we partially pay \$95,084 now as he has had it delivered and must pay his supplier. Build date for the chassis is now 9/12/2024. There will still be a balance due of \$50,911 due upon delivery of the truck to us.

Councilwoman Hundt asked how the mower accident happened. Mr. Miller said that the hydraulic was leaking on the mower causing it to not completely stay up. The employee reached up to turn off the radio system and clipped a light pole with the edge of the mower. Mr. Miller says the tractor seems to be okay. Councilwoman Gold was thankful nobody got hurt. Mr. Miller said that the mower has 1600 to 1700 hours on it.

At this time, Councilman Boice made a motion to purchase the Montage mower without the mower at a cost of \$35,519.80. Mr. Miller noted that because this company is outside of NY, it cannot be bought on state bid. The Town will have to bid the mower. The board agreed to

bidding the mower. Mr. Miller asked the town Attorney if the town definitely had to bid the mower if it was damaged in an accident. Ms. Defio Kean said yes.

A motion was made by Councilwoman Lutz and seconded by Councilwoman Gold to accept the Highway Report. Mr. MacArthur asked for discussion. There was none. Mr. MacArthur called for a vote. Lutz- Yes, MacArthur- Yes, Boice- Yes, Gold- Yes, Hundt- Yes. Motion carried unanimously.

Town Clerk and Tax Collector

I had no dog licenses or fees collected in May.

I have turned my tax roll over to the County Treasurer and been notified that I balance. I collected \$3,108,216.99 which is 92% of my roll.

I continue to work on my records management cleanout. To date I have shredded approximately 85 bags of outdated documents. These include old bills, duplicate documents, 50 year old insurance policies and expired exemption paperwork.

The Kiss program for seniors is currently taking place. The bins will be available for another week. If the town hall is open, seniors are more than welcome to place spreadable items in the bins. This program is sponsored by the County Clerks office.

A motion was made by Councilman Boice and Seconded by Councilwoman Gold to accept the Town Clerk and Tax Collectors Report. Mr. MacArthur asked for any discussion. There was none. Mr. MacArthur called for a vote. Lutz- yes, MacArthur- yes, Boice- yes, Gold- yes, Hundt- yes. Motion carried unanimously.

Building Department Fees

Mr. MacArthur asked if the ZEO or the chair of the planning or zoning boards were present to explain the changes they wished to make to the fee schedule. There wasn't so Mr. MacArthur tabled the agenda item.

Intersection Report

Councilwoman Gold presented the board with a proposal from Greenman-Pedersen, Inc (GPI) which outlined a proposed evaluation of the County Route 7 and State Route 82 Intersection. The report in its entirety can be found on file in the Town Clerks office. Councilwoman Gold said that she and Councilwoman Hundt and Councilwoman Lutz met with the engineer at the intersection to discuss the issues. The proposal included a scope of work, assumptions, as well as a fee schedule. The total project will cost the town \$14,000.00. Councilman Boice questioned the fact that in addition to the \$14,000.00 lump sum, there are additional fees. He asked if these were on top of the \$14,000.00. Councilwoman Gold said that the additional fees would not be added without the Town Boards approval. Councilman Boice noted that there are numerous places in town that have accidents and wondered why the town should spend this money on this intersection. Councilwoman Gold said that this has been a problem for years and that she is proposing an attempt to do something. Councilman Boice felt that this should be a project taken on by the State and the County, not the Town. Supervisor MacArthur asked if after the study is done, will the State and County fix the intersection. Councilwoman Lutz noted

that the study may note certain things, like if the Tin Smith house would have to be taken down or could stay.

Councilwoman Hundt made a motion to allow the town to enter into an agreement with Greenman-Pedersen, Inc for the purpose of a study of the County Route 7 and State Route 82 intersection at a cost of \$14,000.00. Motion seconded by Councilwoman Gold. Supervisor MacArthur asked if the board had anymore discussion. Mr. MacArthur called for a vote. Lutz- yes, MacArthur- yes, Boice- No, Gold- Yes, Hundt- Yes. Motion carried 4 yes- 1no.

Mr. MacArthur noted that the clogged drain on Route 82 has been cleaned out.

Housing Report

The following housing report was presented by Councilwoman Gold:

From Ancram:

- 1. We had our monthly meeting on June 6*
- 2. After the site visit to the Rt 82 property with Hudson River Housing they are discussing the feasibility of the site with their development board. We are waiting to hear back with the next steps.*
- 3. We are waiting on the timeline and application process for the ADU grant program. It will be late summer most likely before they will accept applications*

FROM THE COUNTY:

- 1. The County Land Bank has a board of directors and has approved by-laws and appointed committees. And they've applied for funding from HCR.*
- 2. Trillium is still appointing board members, is working on by-laws, and it is doing more outreach to communities. They're using their grants from Berkshire Taconic and are consulting with HRH in terms of structuring their efforts.*
- 3. THE ADU plan is in the hands of RUPCO, who will sign the contract for the grants. More to come on that. The Task Force wants to host a contractor's breakfast to get local builders interested.*
- 4. Regarding getting grants vis our Pro-Housing designation. They're focused on infrastructure and mixed-use development. (I don't know if that might help our area with the school) * There will hopefully be more developments before June 20.*

Zoning Revisions Committee

The following ZRC committee report was presented by the Chair of the committee, Carol Falcetti:

Since our last report, the ZRC met on May 20, June 3 and June 17. We reviewed the current Scenic Corridor Overlay Zone law with the incorporated CAC suggestions. We considered Intent, Permitted, Prohibited, Exempt, and Non-Conforming uses - adding and deleting items after many questions and discussion.

We are now in the midst of discussing and refining the twenty "Development Standards applicable to Major and Minor Subdivisions, Commercial Uses and Single Family and Two Family Residential Uses including Manufactured Homes, Garage, Pool House/Cabana, In-Ground

Swimming Pool, Tennis Court.” With thoughtful discussion we have refined and approved nine of the twenty suggested standards.

Ethics Board

Mr. Jack Lindsey gave an update on the NHN free summer lunches which will be provided by the County. The Scholarship program is ongoing and applications are being accepted.

Mr. Lindsey said that the Ethics Board has received three inquiries regarding minutes and the process. Mr. Lindsey said that minutes are not an Ethics issue but had called the state to get some information which he presented to the board.

Mr. Lindsey said that beginning in August, the board would like to advertise for a call for some replacement members. Several members have reached the 15 year limit and will need replacements.

Councilman Boice said thank you to Mr. Lindsey for the work the NHN does. Mr. Boice asked Mr. Lindsey if the Ethics Board takes minutes of their meetings. Mr. Lindsey said that the board is only called to meet if there is an Ethics issue.

Town Email

Town Attorney Elena Defio Kean gave an overview of her findings regarding the use of town email. She said that the email site is paid for with tax funded money so there is to be no advertising for businesses to make money and crowd funding is not a use for the email even if for a well meaning use. The email can inform the public of town activities, road closings, notice of meetings, etc. But there is to be no political advertising, no personal opinions and no advertising. She felt that a policy would be a good idea and if the Town board would wish her to, she can have one written for the July meeting. The Town board was in agreement of this.

Supervisor MacArthur announced that the Insurance Broker had reached out to him to ask if the town wanted to add earthquake insurance to the town package. It would cost the town \$285.00 with a \$50,000.00 deductible. Councilman Boice asked if homeowners covers earthquake. Mr. MacArthur did not know and can ask. A motion was made by Councilman Boice and seconded by Councilwoman Lutz to table this decision. Mr. MacArthur called for a vote. Lutz- yes, MacArthur- yes, Boice- yes, Gold- yes, Hundt- yes. Motion carried.

Councilwoman Hundt asked if the town has decided on a car for the Building inspector or if he is using the van. Mr. MacArthur said at this time the town is still paying him milage to use his own car. Mr. Lindsey said that the van is not good on unpaved roads.

Public Comment

Jack Lindsey asked if NHN could still use the email to ask for funding. He also asked about the business directory. Ms. Defio Kean answered that the directory would be an informative email.

Carol Falcetti asked if there was any way for the community to know about the proposal for the intersection study prior to the meeting. Town Clerk Cleveland said that what was put on the website and went out on email was what was always put out prior to the meeting. This includes the agenda, financial report, resolutions, budget adjustments. The town can definitely place the entire meeting packet on the website but the committees and boards need to have the reports to the town clerk at the 10 day mark. This has been an issue.

Supervisor MacArthur read the following memo which will be going out to all departments:
Please take notice that beginning today, June 20, 2024, we will be strictly enforcing the 10 day policy for the Town Board Meeting agenda. Any Committee or Board who wishes to present a report at the monthly Town Board meeting needs to have the report to the Town Clerk no later than 10 days prior to that months meeting. Any reports or requests which come in after the 10 day mark may not be placed on the agenda and will might have to wait another month. The reason for this new policy is to give time for the agenda to be set, the agenda and packet to be placed on the website, for the agenda and packet to be circulated to the public as well as given to our town board members to be reviewed prior to the meeting. Also, any bills to be paid on the warrant need to be to the Town Clerk no later than five days prior to the meeting. Any bills coming in after the five day mark may be subject to a month wait, as they will be placed on the next months warrant. The town board needs to know ahead of time any Budget Adjustments. If we do not have an accounting of all of the bills for that month, we cannot accurately judge if we need to do budget adjustments.

Donna Hoyt addressed the board. Mrs. Hoyt asked who had decided on the intersection being an issue. She asked if all of the adjoining property owners had been spoken to. Mrs. Hoyt said that she has an adjoining property and would be affected by this. She would like to have a conversation with Ms. Gold and Ms. Hundt.

Mrs. Hoyt also questioned the affordable housing and if those on that committee had thought about the taxes on the homes. Councilwoman Hundt noted that there is a bill in the NYS assembly which may come back around that deals with this issue.

Mrs. Hoyt noted her displeasure with there being no public comment prior throughout the meeting. She asked if the public could ask questions after each report made.

Mr. Jim Stickle expressed disfavor with the town board just expending \$14,000.00 with no input from the public. He would have much rather seen the money go to NHN. He said that common sense would be for volunteers to take down the Tin Smith house.

Mr. Ronan Malonney asked why the town lawyer isn't approaching the County and the State to fix the intersection. Ms. Defio Kean said that the town should approach the County and then the State. Councilwoman Gold said that the State is backlogged five years and that the town needs the engineering study to push forward.

Mr. Stickle asked the town board to rescind the vote and get comment from the public.

Mr. William Baker asked the Town Board, if the town takes on this project, who takes on the liability if someone gets killed in the intersection. Councilwoman Gold noted that an accident happened in Dutchess County in an intersection that the town knew was dangerous. A person was killed and the town is being sued because they knew the intersection was bad.

Mrs. Donna Hoyt said that the County and the State are not going to fix anything even with the town spending \$14,000.00.

Mrs. Gail Heath thanked Town Clerk Cleveland for her 21 years of service to the town. She noted that she has lived in the town 65 years and the intersection has always been bad.

Mrs. Sharon Cleveland commented on the minutes situation. Asked if the attorney felt that the clerk was not producing correct minutes. Ms. Defio Kean stated that while she has not looked at all of the minutes, she felt the ones she has seen are fine. Ms. Kean noted that the minutes are not to be a recitation. That is not their purpose. The minutes are traditionally short and are a notation of votes taken, money expended, authoritative actions taken. Ms. Cleveland questioned why after all these years, the minutes produced by the clerk are an issue.

Mrs. Donna Hoyt noted that several years ago there was a list of derelict buildings. Hers was the only one that was forced to come down.

A motion was made by Councilman Boice and seconded by Councilwoman Lutz to make the budget adjustments, approve the June General Warrant #6, Highway Warrant #6 and pay the bills General1898-1933 (\$31,723.22) and Highway 1058-1089 (\$27,546.04). There was no discussion. Supervisor MacArthur called for a vote. Lutz- yes, MacArthur- yes, Boice- yes, Gold- yes, Hundt- yes. Motion carried unanimously.

There being no more business before the board, a motion was made by Councilman Boice and seconded by Councilwoman Lutz to adjourn the meeting. Supervisor MacArthur called for a vote. Lutz- yes, MacArthur-yes, Boice- yes, Gold- yes, Hundt- yes. Motion carried unanimously.

Respectively submitted by,

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