

MINUTES OF THE SPECIAL TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON THURSDAY, FEBRUARY 18, 2016 AT 3:00 P.M. AT THE FORT ANN TOWN HALL

PRESENT: Supervisor Richard Moore
Councilman Dennis Fletcher
Councilwoman Gretchen Stark
Councilman Floyd Varney

ABSENT: Councilwoman Deborah Witherell

OTHERS PRESENT: Anne Wilcox, Deputy Town Clerk, Helen Denno, Confidential Secretary to the Supervisor/Bookkeeper, Jeff Meyer, Town Attorney

Meeting was called to order at 3:00 p.m. with the Pledge of Allegiance to the Flag.

This meeting was published in the Post Star February 11, 2016.

This special meeting is to discuss and consider the financing project on the purchase of a used truck for the Town of Fort Ann Highway Department and any other matter coming before the Board at that time.

RESOLUTION #51-16

BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$71,000.00 AGGREGATE PRINCIPAL AMOUNT OF SERIAL BONDS OR A STATUTORY INSTALLMENT BOND OF THE TOWN OF FORT ANN TO PAY THE COSTS FOR THE PURCHASE OF A USED 2008 INTERNATIONAL TRUCK, MODEL 7500 SFA 4X2 (SA 537) FOR THE HIGHWAY DEPARTMENT OF THE TOWN OF FORT ANN AND AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES OF THE TOWN OF FORT ANN FOR THE AFORESAID PURPOSES AND IN CONNECTION THEREWITH

On motion of Councilman Varney , seconded by Councilman Fletcher, to accept resolution entitled "Bond resolution authorizing the issuance of \$71,000 aggregate principal amount of serial bonds or a statutory installment bond of the Town of Fort Ann to pay the costs for the purchase of a used 2008 International truck, model 75 SFA 4x2 (SA 537) for the Highway Department of the Town of Fort Ann and authorizing the issuance of bond anticipation notes of the Town of Fort Ann for the aforesaid purposes and in connection therewith ."

ADOPTED AYES 4 Fletcher, Stark, Varney, Moore
ABSENT 1 Witherell

RESOLVED, the financing the Project shall be undertaken by the Town through the issuance of a bond anticipation note or notes in accordance with and pursuant to the Local Finance Law of the State of New York in an amount not to exceed Seventy One Thousand Dollars (\$71,000.00). The Town hereby authorizes any bonds, including a statutory installment bond, in lieu of serial bonds, to be issued for this Project in an amount not to exceed Seventy One Thousand Dollars (\$71,000.00).

RESOLUTION #52-16

TO ADD DOWNSTREAM LIABILITY INSURANCE COVERAGE

On motion of Councilman Varney, seconded by Councilwoman Stark to accept the resolution entitled "To Add Downstream Liability Insurance Coverage."

ADOPTED AYES 5 Fletcher, Stark, Varney, Moore
 ABSENT 1 Witherell

RESOLVED, the Fort Ann Town Board hereby approves the purchase of general liability insurance coverage relative to the property downstream of the Lake Hadlock dam at the cost of \$10,521.00 annually, to be prorated; and be it further

RESOLVED, the Fort Ann Town Board hereby approves the purchase of Excess Liability Policy coverage relative to the downstream properties for a cost not to exceed \$3,500.00; and be it further

RESOLVED, that the Supervisor is hereby authorized to enter into the agreements finding coverage relative to the foregoing.

On motion of Councilman Varney, seconded by Councilwoman Stark to go into executive session at 3:08 p.m. for the purpose of discussing on-going litigation with counsel regarding Hadlock litigation.

Anne Wilcox, Deputy Town Clerk, and Helen Denno, Bookkeeper, left the meeting.

On motion of Councilman Fletcher, seconded by Councilman Varney to return to public session at 4:32 p.m.

RESOLUTION #53-16

HIRE SUBSTITUTE COUNSEL REGARDING NYMIR AND LIBERTY MUTUAL

On motion of Councilman Varney, seconded by Councilman Fletcher, to accept resolution entitled "Appointing Special Counsel for Town of Fort Ann V. New York Municipal Insurance Reciprocal ."

ADOPTED AYES 4 Fletcher, Stark, Varney, Moore
 ABSENT 1 Witherell

RESOLVED, that the Town of Fort Ann does appoint the law firm of THORN GERSHON TYMANN AND BONANNI, LLP, (Thorn Gershon) 5 Wembley Court, New Karner Road, Albany, New York 12205 as special counsel on the above referenced matter; and be it further

RESOLVED, the Supervisor shall have the authority to enter into a retainer agreement with Thorn Gershon, along with the necessary substitution of counsel documents required to transition from Horigan, Horigan, and Lombardo to Thorn Gershon.

On motion of Councilman Fletcher, seconded by Councilwoman Stark to adjourn at 4:36 p.m.

Motion was carried.

Respectfully submitted,

Anne S. Wilcox, Deputy Town Clerk
Town of Fort Ann, New York

Dated: February 19, 2016

