

MINUTES OF THE REGULAR TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON MONDAY, MAY 8, 2017 AT 6:00 P.M. AT THE FORT ANN TOWN HALL

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

OTHERS PRESENT: Paul Winchell, Highway Superintendent, Helen Denno, Confidential Secretary to the Supervisor/Bookkeeper, Barbara Winchell, Town Clerk, Jeff Meyer, Attorney for the Town, Mark Miller, Enforcement Officer, Todd Humiston, Dog Control Officer, Joe Loszynski, Dale Grinnell, Joan Degener, Floyd Ladd, George Smith, Michael LaCross, Chad Wilson, Michelle Vara, Mark Rehm, Attorney for Moose Hillock Campground, Lindsay Carte, Dan Monahan, Tracy Monahan, Claire Greene, Bill Bailey, Penny Gould, Constance Sill, Ralph Colb, Karen Campbell, Barbara Eagle, Deb Foote

Meeting was called to order at 6:00 p.m. with the Pledge of Allegiance to the Flag and a moment of silence was held for deceased Fort Ann residents Kathryn Currier and Linda Black.

Motion was introduced by Councilwoman Witherell, seconded by Councilman Fletcher to accept tonight's agenda.

Motion was carried.

Motion was introduced by Councilman Varney, seconded by Councilwoman Stark to accept the Regular Town Board minutes of April 10, 2017.

Motion was carried.

Supervisor Moore read the April 2017 monthly financial statement.

Receipts for the month of April

General Fund \$ 28,074.79

Disbursements

General Fund \$ 49,563.92
Highway \$ 84,196.94

Checkbook Balances

General Fund \$ 56,379.44
Highway Fund \$ 114,489.81
Youth Commission \$ 1,843.75
Hadlock Dam Project \$ 239.82
Hadlock Park District Fund \$ 4,053.67
Consolidated Health District \$ 899.10
Trust & Agency Fund \$ 334.22
Medical Reimbursement Fund \$ 4,998.76

Savings Accounts

General Fund	\$ 669,865.47
Hadlock Park District	\$ 204,229.78
Highway Fund	\$ 820,011.73
LOSAP	\$ 20,084.25

Supervisor Moore stated that all of the Town Board member’s should have received an email with the Budget v Actual 1st quarter 2017. Supervisor Moore asked the Town Board Member’s if they had any questions – response no.

Motion was introduced by Councilman Fletcher, seconded by Councilwoman Witherell to pay the bills as warranted and audited.

Motion was carried.

6:02 p.m. Public Comment opened for items on the agenda.

6:03 p.m. Public Comment closed with no comments.

Supervisor’s Report:

Cemetery update: Supervisor Moore stated that he and Jeff Meyer, Attorney for the Town of Fort Ann, met with Ed Paradis, Sr., his two (2) sons and Mark Rehm, Attorney for Moose Hillock, this afternoon. The purpose was to share that the fence at Brown’s cemetery aka West Fort Ann cemetery had been moved. Supervisor Moore was provided with a copy of a map. A discussion took place on where the fence should be according to the Town of Fort Ann Planning Board and Adirondack Park Agency (APA). Supervisor Moore suggested that Jeff Meyer contact Matt Steves, Surveyor, to plot out where the fence is today compared to where the Town of Fort Ann Planning Board said it should be.

Grievance Day is being held at the Fort Ann Town Hall Thursday, June 1, 2017, from 4:00 p.m. – 8:00 p.m.

Supervisor Moore distributed a Property & Casualty renewal package insurance proposal effective 5/11/17 for the Town of Fort Ann prepared by Cool Insuring Agency dated 5/11/17. He specifically directed the Town Board Member’s to page 12 (Crime Insurance) and stated that every January a resolution is adopted authorizing Official Undertaking resolution but wondered if it is enough coverage. Currently the policy is a three (3) year policy, billed 1/3 each year. Supervisor Moore asked if the Board was interested in increasing the limits from \$10,000 to \$15,000 (\$1,140.00); \$10,000.00 to \$20,000.00 (\$1,245.00) or \$10,000 to \$25,000.00 (\$1,335.00 – 4 years) – the renewal premium is \$1,017.00 for \$10,000.00. He stated he didn’t think that the increase to \$25,000.00 was necessary. The renewal premium this year is \$31,819.00.

Councilwoman Stark said she would like to think about it. Supervisor Moore asked that the Town Board Member’s look over the material and get back to him next week on how to proceed. Supervisor Moore also asked that they turn to page 14 of the packet (Special Events). The Town does have an annual ice fishing derby which is a special event and currently there’s no coverage. Supervisor Moore will get back to the Board with a price for Special Event coverage.

Supervisor Moore distributed information that he received from Ryan Hawthorne, Progressive Energy Consultants. There could be a \$2,238.19 electricity savings over three (3) year period. Supervisor Moore will contact Mr. Hawthorne about what exactly the last sentence "If the trends flip, we can advise of the best time to hold renewal pricing" means.

Carolyn Ouderkirk dropped off a thank you note to Supervisor Moore and the Town Board Member's for their participation in the Spring clean-up at the waterfront park. Supervisor Moore asked the Town Clerk to also forward the note to Terry and Maureen Barber who are also mentioned in the note as well as Pete and Diane Bly. Councilwoman Witherell will share note with her husband, Brent, as he is mentioned in letter as well.

Town Clerk's Report was given for April 2017.

Dog Control Report: paper copy was given to Town Board Member's. Todd Humiston gave an update on the dog enumeration scheduled for May 1, 2017 – July 31, 2017. He stated it went out about a week ahead of schedule and there's been a total of 103 dogs licensed so far. The cost of the enumeration was \$875.00 and \$811.00 has been collected as of today's date.

Highway Superintendent Report: Highway Department has been busy grading dirt roads with all the rain – few pot holes here and there; blacktopped 1.3 miles of Old Rte 4 North. Started cutting brush where the blacktopping is going to take place this summer. The grader is having issues and the Highway Superintendent just doesn't know if the grader will last (5) five months or (5) five years. He stated that it could cost \$15,000 to repair even as much as \$30,000.00 because it also needs tires and brakes replaced. He did mention during budget time that the grader is eight (8) years old with 3,300 hours on it and that they might have to think about buying a new one. If it was traded in approximately \$70,000.00 could be allowed. The Highway Superintendent found out today under the state contract a new one could cost approximately \$220,000.00 minus the approximated \$70,000.00 for trade in. Supervisor Moore suggested that the Highway Superintendent set up an appointment with a company to discuss with them purchasing versus leasing a grader. There is also an offer of three (3) year/3,000 unlimited warranty that includes free oil changes for first three (3) years.

Councilwoman Stark stated that The Post Star Shining Stars is recognizing community members 65 and older who have devoted their time, talents, energy, and resources to the community on June 20, 2017 at 12 p.m. at the Great Escape Lodge. Fort Ann resident, Della Smith, will be one of the recipients being honored at the luncheon and reservations are required by June 12, 2017.

Councilwoman Stark said thank you to those that participated in the canal clean up day. She said it was a good time and it looks nice. She stated Pilot Knob also had a clean up day and she thanked the highway department for their assistance.

Councilwoman Stark announced that State DEC and Parks announced New York State First-Time Camper Program from 7/7 – 8/25/17 and she will post the information on the Town Hall bulletin board. She wanted people to pay particular attention to the 8/18-8/20/17 location is Hearthstone Point (Adirondacks).

Councilwoman Stark stated that the docks are in at the Canal Park and that the Kayak launch should be here soon. The Highway Superintendent stated the Kayak launch was being shipped May 12, 2017. Councilwoman Stark thanked Supervisor Moore for his assistance on the Kayak launch.

Enforcement Officer Report was given for the month of April 2017.

Historian Report: Dale Grinnell stated there will be a dedication on May 9, 2017 at 3:00 p.m. at the Route 4 Pocket Park and all are welcome to join. He thanked the Highway Department for the nice job they did in erecting the sign.

Lake Hadlock Project Manager, Joseph Loszynski, emailed a copy of his matters pending from April 2017 progress report to the Town Board Member's. A paper copy is on file in the Town Clerk's Office for anyone who would like a copy.

New Business: Hosmers, 108 Hadlock Pond Road – Supervisor Moore explained that when the dam breached in 2005 there was an account set up called the Hadlock Recovery Fund that was made up of donations to help defray costs of things such as debris removal. Supervisor Moore suggested that the Attorney for the Town send The Hosmer's a formal letter advising them that they have until the end of October 2017 to have the condemned property at 108 Hadlock Pond Road removed. The Town Board agreed with this suggestion.

RESOLUTION #63-17

AUTHORIZING THE DISBURSEMENT OF \$3,671.84 OR THE BALANCE AT THE TIME FROM HADLOCK RECOVERY FUND ACCOUNT TO HOSMER PROPERTY AT 108 HADLOCK POND ROAD FROM 2005 DAM BREACH

On motion of Supervisor Moore, seconded by Councilwoman Witherell to accept resolution entitled "Resolution Authorizing the Disbursement of \$3,671.84 or the balance at the time paid receipts are received on the Hosmer Property at 108 Hadlock Pond Road from 2005 Dam Breach."

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

RESOLVED, the Town Board hereby authorizes the Town Supervisor to reimburse demolition expenses up to the sum of \$3,671.84 or the balance at the time from the Hadlock Recovery Fund account with Glens Falls National Bank from the 2005 Hadlock Dam breach, upon completion of the demolition, removal of all debris from the site, and the submission of an invoice for the same and that all work must be completed within six (6) months from the date of this resolution.

RESOLUTION #60-17

RETIREMENT STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS

On motion of Councilwoman Witherell, seconded by Councilman Varney to accept resolution entitled "Retirement Standard Work Day and Reporting Resolution for Elected and Appointed Officials."

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

RESOLVED, that the Town of Fort Ann hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted to the Clerk of the body.

RESOLUTION #61-17

AUTHORIZING SUPERVISOR MOORE TO SIGN THE HALEY & ALDRICH PROPOSAL FOR ANNUAL DAM INSPECTION SERVICES

On motion of Councilman Fletcher, seconded by Councilwoman Witherell to accept resolution entitled "Resolution Authorizing Supervisor Moore to sign the Haley & Aldrich proposal for annual dam inspection services."

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

RESOLVED, that Supervisor Moore is authorized to sign the Haley & Aldrich \$4,400.00 proposal for the 2017 annual dam inspection for Hadlock Pond.

RESOLUTION #62-17

AUTHORIZING SUPERVISOR TO EXECUTE A SERVICE CONTRACT WITH NYS DEC FOR IMPROVEMENTS TO SHELIVING ROCK PARKING LOTS AND DACY CLEARING ROAD

On motion of Councilman Fletcher, seconded by Councilwoman Stark to accept resolution entitled "Resolution Authorizing Supervisor to Execute a Service Contract with NYS DEC for Improvement to Shelving Rock Parking Lots and Dacy Clearing Road."

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

RESOLVED, that the Town Supervisor Moore is hereby authorized and directed to execute any and all agreements and related documents associated therewith with the NYS Department of Environmental Conservation, for improvements to Shelving Rock Parking Lots and Dacy Clearing Road.

6:48 p.m. Open Public Discussion with Mr. Carte referring to his email to the Town Board and since he hadn't received a response as of tonight's meeting he thought he'd ask tonight about whether the bikes are being tested before going on track or not and is the appropriate equipment for testing being used because the ADK MX website isn't indicating that. Supervisor Moore responded that because of the pending lawsuit against the Town of Fort Ann Planning Board the Town Board is not going to address conditions of the resolution until that is resolved. Supervisor Moore stated that is the position of the Town Board at this time. Mr. Carte was of the opinion he could ask and have questions answered about enforcement. Supervisor Moore advised that Todd Humiston is taking noise complaint calls and completing noise complaint worksheets. Mr. Humiston provides the sheets to the Board. Supervisor Moore advised that the Town Board will be discussing this evening with the Attorney for the Town.

Mr. Carte asked if he could FOIL the noise complaint worksheets. Supervisor Moore responded absolutely.

Deb Foote stated she was at the last Planning Board meeting and was wondering about the 10' berm that is supposed to be in place. Supervisor Moore stated that it is the responsibility of Mr. Treadway to make sure that the berm is 10'.

Tracy Monahan asked the Highway Superintendent if the Highway Department could cut the overhanging of brush on Old Rte 149 (where Carol Smith lives) and Hogtown. The Highway Superintendent said it'll be taken care of.

Karen Campbell stated the residents of Goodman Road are being blasted with the noise from the Motocross Track. Karen Campbell asked when the residents can expect some relief. Supervisor Moore stated the data is going to be looked at.

Floyd Ladd asked about the comment earlier when discussing Brown's Cemetery and the Planning Board's involvement. Supervisor Moore stated the Planning Board's involvement with the property line goes back to when it was going to be Chocolate Moose.

Tom Bover, Captain, Fort Ann Rescue Squad advised the board that at the end of May the Rescue Squad budget will be under \$10,000.00 and are in jeopardy of closing its doors. Supervisor Moore asked Mr. Bover to set up a meeting with him and Cody Jacobson and any other Town Board Member's that are interested in attending.

7:02 p.m. close of Public Discussion

7:03 p.m. Motion was introduced by Councilwoman Witherell, seconded by Councilman Fletcher to enter into executive session to discuss ongoing litigation and personnel matter.

Motion was carried.

7:30 p.m. Motion was introduced by Councilwoman Witherell, seconded by Councilman Fletcher to return to public meeting.

Motion was carried.

7:32 p.m. Motion was introduced by Councilwoman Witherell, seconded by Councilwoman Stark to adjourn.

Motion was carried.

Total Abstracts:	General:	\$ 22,426.54
	Highway:	\$160,171.50
	Hadlock Park District:	\$ 180.99

Respectfully submitted,

Barbara J. Winchell, Town Clerk
Town of Fort Ann, New York

Dated: May 18, 2017