

MINUTES OF THE REGULAR TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON MONDAY, SEPTEMBER 12, 2016 AT 7:00 P.M. AT THE FORT ANN TOWN HALL, 80 GEORGE STREET, FORT ANN

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

ABSENT: Councilwoman Deborah Witherell

OTHERS PRESENT: Helen Denno, Confidential Secretary to the Supervisor/Bookkeeper, Barbara Winchell, Town Clerk, Paul Winchell, Highway Superintendent, Jeff Meyer, Town Attorney, Mark Miller, Enforcement Officer, Joe Loszynski, Chuck Allen, Cindy Allen, Christine Milligan, Dale Grinnell, Bill Bailey, James Black, Don Siano, Roy Harrison, Girl Scout Troop 3267 (Olivia Herring & Shaye Meschino), Joan Degener, Gene Connell, Mary Jo Crowe, Patricia Monahan, Joe Monahan, Dan Monahan, Debra Foote, Cathy Matier, Bill Knapp, Susan Saville, Russell Saville, Richard Winchell, John Herring, Eileen Herring, Lindsay Carte, Tim Stachnick

Meeting was called to order at 7:00 p.m. with the Pledge of Allegiance to the Flag and a moment of silence was held for deceased Fort Ann residents, Harry Ward and Paul Wells.

On motion of Councilman Varney, seconded by Councilwoman Stark to accept tonight's agenda.

Motion was carried.

On motion of Councilman Fletcher, seconded by Councilman Varney to accept the Regular Town Board Minutes of August 8, 2016.

Motion was carried.

Supervisor Moore read the following from the August 2016 monthly financial statement:

Receipts for the month

General Fund	\$ 25,600.17
Hadlock Park District Fund	\$ 15,000.47
Youth Commission Fund	\$ 3,000.14
Highway Fund	\$110,001.48
General Fund Savings Account	\$105,101.02

Disbursements for the month

General Fund	\$ 42,332.64
Highway	\$ 63,056.12

Checkbook Balances

General Fund	\$ 34,452.94
Highway Fund	\$ 51,693.25
Youth Commission	\$ 1,604.65
Hadlock Dam Project	\$ 239.74

Hadlock Park District Fund	\$ 4,418.51
Consolidated Health	\$ 217.03
Trust & Agency Fund	\$ 1,970.50

Savings Accounts

General Fund	\$716,183.89
Hadlock Park	\$ 79,680.50
Highway Fund	\$526,569.22
LOSAP	\$ 21,358.25

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

Motion was carried.

Olivia Herring and Shaye Meschino are here representing Girl Scout Troop 3267. They have completed their Bronze awards and are now working on achieving their Silver awards. They plan on working with Christine Milligan of the Fort Ann American Legion to make signs for some of the twenty four (24) cemeteries in Fort Ann. They will be doing fundraisers and are hoping for donations to assist with this Silver project. They have identified six (6) cemeteries to begin with and West Signs has offered to assist with the layout.

Public comment was opened and closed with no comments being made.

Supervisor’s Report:

- Streetscape check was received and a big thank you to Cindy Allen for making this happen.
- Civil War Trust and Big Boy Construction have signed an agreement to sell the property to the Civil War Trust; job well done and no mining will take place.
- Supervisor Moore and Highway Superintendent met with Washington County and have submitted paperwork for two (2) grants for two (2) bridges in Fort Ann through Bridge New York.
- Annual Hadlock Dam Inspection Report was issued with a couple of recommendations; Supervisor Moore and the Highway Superintendent will meet 9/13/16 to go over the recommendations, nothing is serious.
- The Highway Superintendent will co-chair the Fort Ann helping Fort Ann along with Supervisor Moore and area leaders (school, church leaders, fire departments, EMS, etc.) with collecting canned/dry goods the month of October and distributing to Fort Ann residents just before Thanksgiving. There will be a kick off meeting 9/13/16 @ 3:00 p.m. at the Town Hall.
- 1st budget workshop is scheduled for 10/3/16 @ 7:00 p.m. and the 2nd budget workshop is scheduled for 10/17/16 @ 7:00 p.m. November 10, 2016 @ 7:00 p.m. is the public hearing and any final revisions with November 14, 2016 being the date to adopt the 2017 budget.
- Councilwoman Stark is the lead on the Noise Ordinance but Supervisor Moore wanted to mention that the 8/26/16 memorandum from Mark Bagdon, P.E., NOVUS Engineering, P.C., 25 Delaware Ave., Delmar, NY 12054 has the following “A new section is needed to describe acceptable ways to take noise measurements. There are two ASTM standards on how to take noise measurements, but they are much too long and involved. I can come up with a shorter list

of requirements.” Supervisor Moore recommended that Mr. Bagdon come up with a shorter list of requirements. Supervisor Moore has heard from some people that want a noise ordinance and some who do not but a follow-up meeting should be scheduled. Councilman Varney, Councilman Fletcher and Councilwoman Stark agreed with Supervisor Moore’s recommendation of Mr. Bagdon coming up with a shorter list of requirements.

- Supervisor Moore was selected to be on the Washington/Warren County IDA; will be attending the third Monday of the month.
- Senior Safety Day will be held September 22, 2016 from 9:30 a.m. – 2:30 p.m. at the Cambridge United Presbyterian Church’s Brieman Building, 81 East Main St., Cambridge, NY 12816
- Health & Wellness Expo at the Kingsbury Firehouse, 3715 Burgoyne Ave., Hudson Falls, on October 6, 2016 from 10:00 a.m. - 4:00 p.m.
- Senior Safety Day will be held September 22, 2016 from 9:30 a.m. – 2:30 p.m. at the Cambridge United Presbyterian Church’s Brieman Building, 81 East Main St., Cambridge, NY 12816
- Reminded those in attendance of the fundraiser that Fort Ann Senior, Allison Vrooman, is involved in from August 20-November 18, 2016 for Global Leadership Adventures for a Global health initiative in the Dominican Republic. Gently worn, used and unwanted shoes of any size, type are being collected at the Fort Ann Town Hall, CV Waste and Glens Falls National Bank.
- Mayor is leaving office after 23 years.
- Special Planning Board meeting tomorrow night at the Fort Ann Central School regarding the Motocross Track at 7:00 p.m.

Town Clerk’s Report was given for August 2016.

Dog Control Report was given for August 2016.

Highway Superintendent Report: Completed paving on Farley Road. The Highway Department has been busy ditching. Auction went well and should be receiving a check for a little over \$9,000.00 from Auctions International. (\$4,900.00 for the Dump truck; \$1,025.00 mower; \$2,600.00 Gradall; \$410.00 used boat motor)

Councilman Fletcher announced that Tom Jarrett received Silver Bay award for meeting clients needs and controlling costs.

Councilwoman Stark stated that Pilot Knob Beach closed Labor Day with very little issues this summer. She wanted to thank Supervisor Moore and Tom Jarrett and stated that the kayak launch will happen because of them.

Enforcement Officer Report was given for August 2016.

Joe Loszynski, Lake Hadlock Project Manager, submitted a monthly progress report by email to the Town Board.

Old Business: Supervisor Moore received two (2) letters in favor of the paid part-time Lake Hadlock Park District Manager position. Councilman Varney said this position should be put in the budget. Councilwoman Stark stated this position should only be put in the budget if we can afford it. Councilman Fletcher cannot support this salary. Supervisor Moore stated the Hadlock budget is not

stand alone it does impact the Town budget and we do have to keep in mind the tax cap. Supervisor Moore emphasized the Town will not pay a penny for Hadlock.

New Business: Only one (1) bid was received 9/9/16 from the 3 day ad that ran (8/15, 8/17 & 8/18/16) for a 2001 or newer single axle Gradall.

The bid was from Yacano's Gradall, 5114 St Rt 12, Norwich, NY 13815.

Savings/Cost Analysis from Jaeger & Flynn Associates, Inc. were distributed to the Town Board Members and Supervisor Moore explained the handouts and that the Highway Superintendent met with his employees and they were fine with the change because if it's handled the right way a lot of money can be saved. The Highway Superintendent, Supervisor Moore and a representative from Jaeger & Flynn will meet with the Highway Department at the Town Hall 9/20/16 to answer any questions/concerns that they may have and spouses are welcome to join.

**RESOLUTION #111-16
REQUEST FOR PROPOSAL FOR HAND HARVESTING SERVICES RECEIVED FROM AIM**

Suggested by Supervisor Moore to table until the 10/3/16 Special meeting.

**RESOLUTION #112-16
TO APPOINT EVA MATTISON AS PART-TIME CLERK TO THE JUSTICE**

On motion of Councilwoman Stark, seconded by Councilman Fletcher, to accept resolution entitled "Resolution to Appoint Eva Mattison as Part-time Clerk to the Justice."

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

RESOLVED, that the Fort Ann Town Board hereby affirms the appointment of Eva Mattison as the part-time Clerk to the Town of Fort Ann Justice as of September 29, 2016 at a salary of \$16,195.00 prorated through December 31, 2016.

**RESOLUTION #113-16
REAPPOINTING A MEMBER TO THE BOARD OF ASSESSMENT REVIEW**

On motion of Councilman Varney, seconded by Councilwoman Stark, to accept resolution entitled "Resolution Reappointing a member to the Board of Assessment Review."

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

RESOLVED, that William Hohmann is hereby reappointed as a Member of the Fort Ann Board of Assessment Review for a term extending from October 1, 2016 through September 30, 2021.

**RESOLUTION #114-16
FOR THE TOWN OF FORT ANN TO SET A PUBLIC HEARING TO ADOPT PROPOSED ORDINANCE
REGULATING THE SITING OF SOLAR ARRAYS IN THE TOWN OF FORT ANN**

On motion of Councilman Fletcher, seconded by Councilman Varney, to accept resolution entitled "Resolution for the Town of Fort Ann to set a public hearing to adopt proposed ordinance regulating the siting of solar arrays in the Town of Fort Ann."

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

RESOLVED, a public hearing shall be scheduled for the consideration of the proposed ordinance regulating the siting of solar arrays in the Town of Fort Ann on October 11, 2016 at 7:05 p.m. at the Fort Ann Town Hall, 80 George Street, Fort Ann, New York.

**RESOLUTION #115-16
INTRODUCING PROPOSED LOCAL LAW TO OPT-OUT OF SECTION 487 OF THE NYS REAL PROPERTY TAX LAW CONCERNING TAX EXEMPTIONS FOR CERTAIN SOLAR OR WIND ENERGY SYSTEMS OR FARM WASTE ENERGY SYSTEMS IN THE TOWN OF FORT ANN**

On motion of Councilwoman Stark, seconded by Councilman Varney, to accept resolution entitled "Resolution introducing proposed local law to opt-out of section 487 of the NYS Real Property Tax Law concerning tax exemptions for certain solar or wind energy systems or farm waste energy systems in the Town of Fort Ann."

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

RESOLVED, the proposed local law to opt out of section 487 of the NYS Real Property Tax Law concerning tax exemption for qualified solar or wind energy systems or farm waste energy systems in the Town of Fort Ann is hereby introduced. A public hearing shall be noticed and held by theTown Board on October 11, 2016 at 7:00 p.m. to consider the proposed local law.

**RESOLUTION #116-16
TO PURCHASE 2001 GRADALL 3100**

On motion of Councilman Fletcher, seconded by Councilman Varney, to accept resolution entitled "Resolution to purchase 2001Gradall 3100."

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

RESOLVED, that the Town Board of the Town of Fort Ann approves the purchase of a 2001 Gradall 3100 from Yacano's Gradall Sales, 5114 State Hwy 12, P.O. Box 1049, Norwich, NY 13815 in the amount of \$47,500.00.

**RESOLUTION #117-16
AUTHORIZING TO ENACT A COMPLETE STREETS LEGISLATION**

On motion of Councilman Varney, seconded by Councilwoman Stark , to accept resolution entitled "Resolution authorizing to enact a complete streets legislation."

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

RESOLVED, by the Town of Fort Ann that the Town of Fort Ann hereby establishes and adopts a “Sustainable Complete Streets Policy” which policy shall, where context appropriate, provide for the needs of drivers, public transportation vehicles and patrons, bicyclists and pedestrians of all ages and abilities, and whereby all street projects deemed context appropriate by the Town of Fort Ann, inclusive, but not limited to, design, planning, reconstruction, rehabilitation, maintenance, or operations, by the Town of Fort Ann.

RESOLUTION #118-16

REIMBURSING THE VILLAGE OF FORT ANN FROM STREETScape GRANT

On motion of Councilman Fletcher, seconded by Councilwoman Stark, to accept resolution entitled “Resolution Reimbursing the Village of Fort Ann from Streetscape Grant.”

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

RESOLVED, the Town Board of the Town of Fort Ann hereby approves incurring the cost of \$7,865.39, representing their portion of the short-fall from the monies received from NYS; and be it further

RESOLVED, the Town Board hereby approves the payment of \$17,134.16 to the Village of Fort Ann as reimbursement for their portion of the Streetscape Grant and authorizes the Bookkeeper to remit payment.

RESOLUTION #119-16

HALEY & ALDRICH PROPOSAL DEC ENGINEERING DESIGN REPORT HADLOCK DAM

On motion of Councilman Varney, seconded by Councilman Fletcher, accept resolution entitled “Resolution Haley & Aldrich Proposal DEC Engineering Design Report Hadlock Dam.”

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

RESOLVED, that the Town Board of the Town of Fort Ann hereby approves the ten (10) year DEC engineering design report from Haley & Aldrich for \$2,500.00.

RESOLUTION #120-16

TERMINATING CURT REHM AS PLANNING BOARD MEMBER

On motion of Councilman Varney, seconded by Councilwoman Stark, accept resolution entitled “Resolution terminating Curt Rehm as Planning Board Member.”

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

RESOLVED, the Town Board of the Town of Fort Ann hereby finds that Mr. Curt Rehm has failed to comply with the mandatory training requirement and has been absent from three consecutive meetings in violation of Local Law 1 of 2008; and be it further

RESOLVED, Mr. Curt Rehm is hereby removed as a member from the Town of Fort Ann Planning Board, for cause, due to the above violations.

RESOLUTION #121-16

APPROVING UP TO \$50,000.00 BE SPENT ON THE CANAL PARK KAYAK PROJECT

On motion of Councilman Fletcher, seconded by Councilwoman Stark, accept resolution entitled "Resolution Approving up to \$50,000.00 be spent on the canal park kayak project."

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

RESOLVED, that the Fort Ann Town Board approves spending up to \$50,000.00 on the canal park kayak launch project and the Town Clerk is hereby authorized to publish and post the invitation to bid for the above described work, with such sealed bids to be submitted on or before September 29, 2016 at 10:00 a.m. with the bids to be opened and read out loud on October 3, 2016 at 7:05 p.m.

RESOLUTION #122-16

APPROVING JAEGER & FLYNN ASSOCIATES, INC. TO BE THE TOWN OF FORT ANN AGENT EFFECTIVE DECEMBER 1, 2016

On motion of Councilman Fletcher, seconded by Councilman Varney, accept resolution entitled "Resolution Approving Jaeger & Flynn Associates, Inc. to be the Town of Fort Ann health, dental and vision insurance Agent effective December 1, 2016."

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

RESOLVED, that the Fort Ann Town Board approves Jaeger & Flynn Associates, Inc., 42 South St., Glens Falls, New York 12801 to be its agent effective December 1, 2016 for the Town's health, dental and vision effective December 1, 2016.

RESOLUTION #123-16

APPROVING MVP SILVER 3 LIBERTY HDEPO AND THE MEDICAL EXPENSE REIMBURSEMENT PLAN

On motion of Councilman Fletcher, seconded by Councilwoman Stark, accept resolution entitled "Resolution Approving MVP Silver 3 Liberty HDEPO and the medical expense reimbursement plan."

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

RESOLVED, the Town Board of the Town of Fort Ann is desirous of having MVP Silver 3 Liberty HDEPO and the Medical Expense Reimbursement Plan and having MVP as the health insurance administrator effective December 1, 2016 and that upon due deliberation of the available policies taking into account the employee's needs, the available coverages and the costs associated therewith, the Fort Ann Town Board approves MVP Silver 3 Liberty HDEPO and the Medical Expense Reimbursement Plan and having MVP as the health insurance administrator effective December 1, 2016 as in the best interest of the Town and its employees.

8:26 p.m. open public discussion

Christine Milligan thanked Supervisor Moore for his work on the Civil War Trust.

Bill Bailey, Gene Connell, Chuck Allen, Russell Saville, Tim Stachnick and Cathy Matier all spoke of being in favor of creating the paid part-time Park Manager position as well as continuing with the Hand Harvesting.

Richard Winchell asked if you are a Planning Board Member can you also be a member of the Board of Assessment Review with regards to Resolution #113-16.

Richard Winchell asked if the town ever considered buying a parcel on the lake so that there would be public access and then Lake Hadlock Park District would qualify for 501C status.

Lindsay Carte stated the Board should really try to find a way to fund the part-time Park Manager position.

Supervisor Moore stated that there would be much more detail at the 10/11/16 public hearing with regards to Solar Opt-Out.

Roy Harrison handed in a PETITION TO REQUIRE SIRENS IN ALL FORT ANN FIRE DISTRICTS. Mr. Harrison stated that he is of the opinion that Supervisor Moore inflated his resume.

Chuck Allen stated he has known Supervisor Moore for years and if anything he deflated his resume.

Cathy Matier stated she does miss not hearing the siren daily at Noon and she asked shouldn't there be a siren to warn the public of an emergency?

Paul Winchell stated Mattison Road hasn't been put to rest but even a \$50,000.00 grant wouldn't even cover the engineering fees.

8:54 p.m. closed public discussion

8:55 p.m. Councilman Varney made a motion to enter into executive session with a second from Councilman Fletcher to discuss ongoing Hadlock Litigation.

Motion was carried.

9:10 p.m. Councilman Varney made a motion to come out of executive session with no action taken and a second from Councilman Fletcher.

Motion was carried.

9:11p.m. Motion was introduced by Councilman Fletcher, seconded by Councilman Varney to adjourn.

Motion was carried.

Total Abstracts:	General:	\$ 30,791.43
	Highway:	\$130,181.58
	Hadlock Park District:	\$ 1,106.86
	Youth Commission:	\$ 871.50

Respectfully submitted,

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

Dated: September 21, 2016