

**MINUTES OF THE REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF FORT ANN
HELD JULY 13, 2015 AT THE TOWN HALL COMMENCING AT 7:00 P.M.**

PRESENT: Councilwoman Gretchen R. Stark
Councilman Howard Denison
Councilman Floyd Varney
Councilwoman Deborah Witherell

ABSENT: Supervisor Darlene Dumas

OTHERS PRESENT: Paul Winchell, Highway Superintendent, Jeff Meyer, Town Attorney, Helen Denno, Confidential Secretary to the Supervisor, Barbara Winchell, Town Clerk, Mark Miller, Enforcement Officer, Dave Dumas, Richard Moore, Denny Fletcher, Merlin (John) Harrington, Earl and JoAnn Rouse, Claude Charlebois, John Lefner, YMCA Camp Chingachgook, Bob Schulz, Chairman of We The People Of New York, Inc. and Judith Whitmore, Vice Chairman of We The People of New York, Inc., Mike LaCross

Councilwoman Stark called the meeting to order at 7:00 p.m. with the Pledge of Allegiance to the Flag led by Councilwoman Witherell. Councilwoman Stark advised that Supervisor Dumas is unable to attend tonight's meeting as she is ill. A moment of silence was held for deceased Fort Ann residents.

Motion was introduced by Councilman Varney, seconded by Councilwoman Stark to accept the minutes of the Regular Town Board Meeting of June 8, 2015.

Motion was carried.

Motion was introduced by Councilman Denison, seconded by Councilman Varney to accept the minutes of the Special Town Board Meeting of June 10, 2015.

Motion was carried.

Motion was introduced by Councilwoman Witherell, seconded by Councilman Varney to pay bills as warranted and audited. Councilman Denison has a list of bills he is making exception to and that he did not initial. He will give the list to the Bookkeeper, Helen Denno, to make copies for him to further review.

Motion was carried.

Supervisor's Report: According to Councilwoman Stark Supervisor Dumas hopes to have a blog up by the end of the week if she is feeling better. The Agenda for tonight's Town Board meeting and the June financial report have both been uploaded to the Town's website. A paper copy is available upon request. Both are also available on the 2015 Town Board meetings page. Councilwoman Stark announced that Supervisor Dumas was too ill to attend tonight's meeting.

Councilwoman Stark and Supervisor Dumas attended the First Annual Champlain Canal Trail Supervisor's and Mayor's meet up. They had lunch on a bridge at Hudson Crossing Park and the purpose of this was to let the Washington County Supervisor's see what was happening with the trail coming up from Waterford to Whitehall and they had an opportunity to speak with the Saratoga County Supervisor's. Councilwoman Stark stated it was a very productive gathering.

Supervisor Dumas and Councilwoman Stark attended a boy scout event celebrating the centennial anniversary of the Order of the Arrow lodge held at Kittan Lodge at Camp Wakpominee, 185 Sly Pond Road, Fort Ann, NY.

Councilwoman Stark reminded everyone about the Washington County Broadband Survey that they should have received in the mail and asked everyone to please complete it and either return it to Washington County Planning Department directly or the Town Clerk's Office to forward to Washington County Planning Department. She reminded those in attendance that if anyone did not receive a broadband survey that one could be obtained at the Town Clerk's Office. She emphasized the importance of completing the survey and submitting it.

Councilwoman Stark stated that Joe Loszynski, Lake Hadlock Project Manager, emailed a monthly progress report to all the Town Board Member's. There is a copy on file in the Town Clerk's Office for anyone who would like a copy. Councilwoman Stark read some of the highlights of the three (3) page report "Major accomplishments for the month consisted of a successful visit by the APA and NYS ENCON, several days of harvesting without mechanical problems, improving and streamlining several aspects of the program and so on." The visit by APA and NYS ENCON went tremendously well and the town was commended for the significant improvements that have been made since the beginning of the harvesting season. The regulators were extremely impressed with the coordination between the operator of the harvester and the collection boats. They were very complimentary and pleased to observe our strict compliance with all conditions of the harvester protocols and the APA permit. The visit couldn't have gone any better and Mr. Loszynski feels that the credibility with the regulators is now on the rise because of the recent improvements and accomplishments of the harvester program. Mr. Loszynski stressed the fact that he could use more volunteers with this project.

Councilwoman Stark thanked the Highway Superintendent for his department assisting with the harvester program.

Councilwoman Stark announced that the next Supervisor on the Corner meeting will be in Pilot Knob 7/19/15 at 1:00 p.m.

Supervisor Dumas received approximately 25 phone calls in the month of June and one (1) letter. The letter was from Marsha Grant, Baldwin Corners Road, Fort Ann. Ms. Grant is the Post Star delivery person for parts of Fort Ann that include W. Farmwood Road and she is requesting that this road be paved as rain has created potholes, bumps, and water running from the top of the road, side to side, and along each side of the road.

Paul Winchell, Highway Superintendent, stated he had investigated this issue by stopping and speaking to a couple of the residents as well as just viewing the road and found no pot holes. He does have this road on his list to pave. It won't be this year but it is on the list of roads to be paved.

Councilwoman Stark and Supervisor Dumas hosted a bike trail meeting at the Town Hall July 7th and it went very well and she is pleased to announce that the bike trail is well on its way from the Albany area to Whitehall

Councilwoman Stark stated that Supervisor Dumas gave the baccalaureate speech for the 2015 Fort Ann graduating class. Her speech defined what baccalaureate means.

Town Clerk's Report was given for June 2015. She advised that the Town Board Member's were all given a copy of the dog control report.

Public Hearing: None

Public Comment opened at 7:15 p.m.

John Lefner, YMCA Camp Chingachgook, spoke of pedestrian, especially children, safety concerns with the speed limit on Pilot Knob Road. There are contractors and people that are not familiar with the area and they are not complying with the speed limit near the Pilot Knob Beach area. The Highway Superintendent offered to contact the Washington County Sheriff's Office to have more of a presence in that area and perhaps issuing tickets will deter people not complying with the speed limit.

Councilwoman Witherell asked Mr. Lefner to come back to the August Town Board meeting and report out on whether the situation has gotten better or not.

Mr. Claude Charlebois, Pilot Knob resident, stated its been his experience that the Sheriff's Department doesn't issue tickets – just warnings.

Mr. Harrington, 1349 Tripoli Road, spoke on behalf of himself and twenty six (26) other residents that are opposed to the Tripoli Road gravel pit being used as a shooting range. Mr. Harrington stated the shootings seem to be occurring more frequently. The neighborhood is looking for relief from this disturbance. Mr. Rouse, 1368 Tripoli Road, addressed the board and invited any and all of the Town Board Member's to come and sit on his porch to hear the shooting that goes on for hours and actually forces residents to leave their homes during these shooting sessions. This is not just the Washington County Sheriff's that are using this facility they've seen agencies coming in from Essex County, Rensselaer County, etc.

Councilwoman Stark said this would be brought to the attention of Supervisor Dumas and she would have to discuss the matter with the Washington County Sheriff.

Public comment was closed at 7:31 p.m.

Supt of Highways Report: The Highway Superintendent stated they've finished ditch work on Norton Road and still have culverts to change but they're waiting for the excavator to come next week. Norton Road is one of the roads they are going to pave. They moved over to start digging and putting fabric in on Taylor Woods Road today because there is about a 200' section that's been pushing up through the blacktop. They'll be over on Clements Road next to get ready for blacktopping. They've been busy mowing. The County roads have all been done once and they are on the second pass on the town roads. They are grading as needed.

Councilman Varney stated he received a request from a town citizen looking for a street light at the corner of Hadlock Pond Road and Route 149 because you really can't see that turn. This matter would have to be referred to the NYS DOT.

Councilwoman Witherell stated she had given the Town Clerk a flash drive of the Fort Ann Comprehensive Emergency Management Plan to be put out on the Town's website.

Councilman Denison wanted to quickly address the Blossom Farm Cemetery issue and referred to the October 14, 2014 Resolution, presented at the Town Board Meeting, that said the Town would spend up to \$1,500.00 for a survey. If his memory serves him correctly they were pretty close to having the attorney's work out an agreement between the Town of Fort Ann and Mr. Wilson. Councilman Denison stated there must be some miscommunication that needs to be clarified. Councilman Denison stated he sees no reason to not move forward with this agreement because nothing can get done, like the survey, until there is a signed agreement between the Town of Fort Ann and Mr. Wilson. You need a survey in order to do the deed. Councilman Denison stated he went to visit Mr. Wilson and Mr. Wilson told him he wants to get this agreement done except for moving the fence 6'. Councilman Denison stated that the moving of the fence could wait until the Spring. He sees no reason to put this off until October or November.

Councilwoman Stark stated that this conversation sounds a lot different than the one that she and Supervisor Dumas recently had with Mr. Wilson.

Councilwoman Witherell asked Attorney Meyer if he has had any recent conversations with Mr. Wilson's attorney?

Attorney Meyer stated he hasn't spoke with Mr. Wilson's attorney recently. They have exchanged email's/letters and he can't remember all of the issues off the top of his head but he does remember there are questions regarding the precise location of headstones and where the cemetery may or may not have been.

Councilwoman Stark asked if the cemetery committee was doing anything with this. Councilman Denison responded that there are different perceptions of what the cemetery

could be or should be. Some people thought it was 1 ½ acres; some people thought it was 1 acre. They have different opinions on the name should be.

Councilman Varney understanding is they are just looking for signage/plaque like what is in front of the cemetery on Quaker Road.

Councilwoman Stark would like to have Mr. Wilson attend a board meeting.

Attorney Meyer stated he has never been invited to a cemetery committee meeting and he doesn't know how involved Mr. Wilson's attorney is in this matter at this time. We essentially have conflicting information.

Councilwoman Witherell asked Attorney Meyer to draft a letter to Mr. Wilson. Attorney Meyer replied he just needed to know what the Town Board wants the letter to say.

Councilman Denison asked the Town Clerk to read a letter in which he was questioning two (2) agreements/contracts (Lycott Environmental and Cornerstone Advanced Communication Solutions) that Supervisor Dumas had signed without Town Board approval. Councilwoman Stark state she'll refer this to Supervisor Dumas but believes she was within her authority to do so. Attorney Meyer said it can be looked into.

Mr. Dumas stated that Supervisor Dumas is the Chief Fiscal Officer and can make those decisions.

Councilwoman Witherell stated she thought the Supervisor could only sign in an emergency basis.

Councilwoman Stark announced there is a bicycle tour, which is a historical ride, from Ft. Edward to Ft. Ann on 8/9/15. There is a notice on the bulletin board and it will be out on the Town website.

Enforcement Officer, Mark Miller, gave his report for the month of June which included approximately twelve (12) phone calls, six (6) voice mails, thirty four (34) emails and he signed six (6) building permits which were mostly solar.

Historian Report: None

Old business: None

RESOLUTION #54-15

RETIREMENT STANDARD WORK DAY AND REPORTING RESOLUTION

On motion of Councilman Denison, seconded by Councilwoman Witherell to accept resolution entitled "Retirement Standard Work Day and Reporting Resolution"

ADOPTED AYES 4 Witherell, Denison, Varney, Stark
 ABSENT 1 Dumas

RESOLVED, that the Town of Fort Ann hereby establishes the Standard Work day for Summer Recreation Director and Dog Control Officer.

RESOLUTION #55-15

RESOLUTION APPROVING INTERMUNICIPAL AGREEMENT WITH TOWN OF KINGSBURY TO SHARE EQUIPMENT FOR DOG CONTROL PURPOSES

On motion of Councilman Varney, seconded by Councilwoman Witherell to accept resolution entitled "Approving Intermunicipal Agreement with the Town of Kingsbury to Share Equipment for Dog Control Purposes"

ADOPTED AYES 4 Varney, Witherell, Denison, Stark
 ABSENT 1 Dumas

RESOLVED, that the Town of Fort Ann hereby approves the Intermunicipal Agreement with the Town of Kingsbury to share equipment for dog control purposes.

RESOLUTION #56-15

AUTHORIZING TOWN OF FORT ANN TO ENTER INTO AN AGREEMENT WITH COUNTRYSIDE VETERINARIAN PRACTICE, P.C. FOR TOWN DOG CONTROL SHELTER SERVICES PURSUANT TO NEW YORK STATE AGRICULTURAL AND MARKETS LAW ARTICLE 7

On motion of Councilwoman Witherell, seconded by Councilman Denison to accept resolution entitled "Authorizing Town of Fort Ann to Enter into an agreement with Countryside Veterinarian Practice, P.C. for Town Dog Control Shelter Services Pursuant to New York State Agricultural and Markets Law Article 7"

ADOPTED AYES 4 Witherell, Denison, Varney, Stark
 ABSENT 1 Dumas

RESOLVED, that the Town Board hereby authorizes and directs the Town Supervisor to sign and take all necessary steps to enter in to the agreement with Countryside Veterinarian practice for Dog Control Shelter Services.

County Update: Chris DeBolt was selected as the Washington County Administrator.

Public Discussion was opened at 8:05 p.m. with Mr. Schulz addressing the Board regarding the letter he submitted to them dated February 3, 2015, which he encouraged the Board to consider adopting two (2) resolutions. The first resolution would be to discontinue the implementation of the Common Core State Standards and participation in the Partnership for Assessment of Readiness for College and Careers Consortium in favor of an independent state based approach to the improvement of the education system in New York State. The second resolution is to call on the State Board of Regents to amend Social Studies Learning Standard

No. 5 – Civics, Citizenship and Government and bring it into compliance with the State Education Law.

Mr. Schulz distributed and read a letter he prepared dated 7/13/15 with the following materials attached:

- New York State Constitution, Article XIII
- New York State Education Law, Article 61
- New York State Public Officers Law, Article 2
- New York State Civil Service Law, Article IV, Title A
- New York State Constitution, Article I, Bill of Rights

Copies of these materials can be obtained at the Town Clerk’s Office.

Mr. Schulz requested a special meeting.

Public Discussion was closed at 8:25 p.m.

On motion of Councilman Varney, seconded by Councilwoman Witherell to adjourn at 8:26 p.m.

Motion was carried unanimously.

Total Abstracts:	General	\$18,768.67
	Highway	\$23,738.72

Respectively submitted,

Barbara J. Winchell, Town Clerk

Dated: July 23, 2015