

**MINUTES OF THE ORGANIZATION AND REGULAR TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON MONDAY, JANUARY 11, 2021 AT 6:00 P.M. AT THE FORT ANN TOWN HALL**

**PRESENT:** Supervisor Samuel J. Hall  
Councilman Michael Sexton  
Councilman George F. Smith  
Councilwoman Gretchen Stark  
Councilwoman Deborah Witherell

**OTHERS PRESENT:** Barbara Winchell, Town Clerk, Jeffrey Meyer, Attorney for the Town

**ABSENT:** Highway Superintendent, Paul Winchell, Part-time Enforcement Officer, Mark Miller, Town of Fort Ann Historian Christine Milligan

The Organization meeting was called to order at 6:00 p.m. with the Pledge of Allegiance to the Flag.

On motion of Councilwoman Witherell, seconded by Councilman Smith to approve tonight’s organization agenda.

Motion was carried unanimously.

**RESOLUTION #1-2021  
SETTING 2021 TOWN BOARD MEETING SCHEDULE**

On motion of Councilwoman Stark, seconded by Councilwoman Witherell to accept resolution entitled “Resolution Setting 2021 Town Board Meeting Schedule.” (2<sup>nd</sup> Monday of every month, or if a holiday, the 2<sup>nd</sup> Tuesday of that month)

ADOPTED AYES 5 Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the regular meeting of the Town Board of the Town of Fort Ann shall be held on the second Monday, if the holiday, Tuesday of each month at 6:00 p.m.

**RESOLUTION #2-2021  
ESTABLISHING RULES OF PROCEDURE**

On motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled “Resolution Establishing Rules of Procedure.”

ADOPTED AYES 5 Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that unless procedures established in Town Code provide otherwise, either the Supervisor or a resolution of the Town Board can refer a matter to the Highway Superintendent or to the Planning Board or to another committee for review and recommendation back to the Town Board.

**RESOLUTION #3-2021  
DELEGATING DUTIES TO THE TOWN SUPERVISOR**

On motion of Councilwoman Stark, seconded by Councilman Sexton to accept resolution entitled “Resolution Delegating Duties to the Town Supervisor.”

ADOPTED        AYES 5            Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the Fort Ann Town Board does delegate to the Town Supervisor the power and duties of administration and supervision of the Town and any Districts contained within it, providing that the Town Board may not and does not abdicate to the Supervisor and Surrender to him the Board's basic statutory responsibilities.

**RESOLUTION #4-2021  
ESTABLISHING THE OFFICE OF THE DEPUTY TOWN SUPERVISOR**

On motion of Councilman Smith, seconded by Councilman Sexton to accept resolution entitled "Resolution Establishing the Office of the Deputy Town Supervisor." (Gretchen Stark)

ADOPTED        AYES 4            Sexton, Smith, Witherell, Hall  
                      ABSTAIN 1        Stark

**RESOLVED**, that the Fort Ann Town Board does establish the Office of the Deputy Town Supervisor.

**RESOLUTION #5-2021  
AUTHORIZING THE TOWN SUPERVISOR TO APPOINT A CLERK TO THE SUPERVISOR**

On motion of Councilwoman Witherell, seconded by Councilman Sexton to accept resolution entitled "Resolution Authorizing the Town Supervisor to Appoint a Clerk to the Supervisor." (Jennifer Jackson)

ADOPTED        AYES 5            Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, the Fort Ann Town Board does hereby authorize the Town Supervisor to make said appointment, provided that the total expenditure for the Town employee not exceed the total amount budgeted for Town employee in the 2021 Town Budget without further authorization from the Board.

**RESOLUTION #6-2021  
APPOINTING TOWN OF FORT ANN BUDGET OFFICER**

On motion of Councilwoman Stark, seconded by Councilman Smith to accept resolution entitled "Resolution Appointing Town of Fort Ann Budget Officer."

ADOPTED        AYES 5            Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the Fort Ann Town Board hereby appoints Helen Denno as the 2021 Budget Officer.

**RESOLUTION #7-2021  
AUTHORIZING ADVANCE APPROVAL OF CLAIMS**

On motion of Councilman Smith, seconded by Councilwoman Stark to accept resolution entitled "Resolution Authorizing Advance Approval of Claims."

ADOPTED        AYES 5            Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the Fort Ann Town Board hereby authorizes the payment in advance of audit of claims for such premiums for policies that would otherwise lapse before audit, incur late charges, postage, freight and express charges and all such claims shall be presented at the next regular meeting for audit.

**RESOLUTION #8-2021**

**AUTHORIZING TOWN SUPERVISOR TO FILE ANNUAL FINANCIAL REPORT IN TOWN CLERK’S OFFICE**

On motion of Councilwoman Witherell, seconded by Councilman Sexton to accept resolution entitled “Resolution Authorizing Town Supervisor to File Annual Financial Report in Town Clerk’s Office.”

ADOPTED      AYES 5              Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, in accordance with New York State General Municipal Law section 30, the Fort Ann Town Board hereby authorizes and directs the Town Supervisor to file a copy of the annual Financial Report to the State Comptroller with the Town Clerk’s Office on or before April 1, 2021.

**RESOLUTION #9-2021**

**DESIGNATING OFFICIAL NEWSPAPER**

On motion of Councilman Smith, seconded by Councilwoman Stark to accept resolution entitled “Resolution Designating Official Newspaper.”

ADOPTED      AYES 5              Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the Fort Ann Town Board hereby designates *The Post Star* as the Town of Fort Ann’s official newspaper.

**RESOLUTION #10-2021**

**APPOINTING A FORT ANN PLANNING BOARD CHAIRMAN**

On motion of Councilman Smith, seconded by Councilwoman Stark to accept resolution entitled “Resolution Appointing a Fort Ann Planning Board Chairman.”

ADOPTED      AYES 5              Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the Fort Ann Town Board hereby appoints Donald Bedeaux as Chairman of the Town’s Planning Board through December 31, 2021.

**RESOLUTION #11-2021**

**APPOINTING A TOWN PLANNING BOARD SECRETARY**

On motion of Councilman Sexton, seconded by Councilwoman Witherell to accept resolution entitled “Resolution Appointing a Town Planning Board Secretary.”

ADOPTED      AYES 5              Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, the Fort Ann Town Board hereby appoints Tiffany Ball as Planning Board Secretary through December 31, 2021.

**RESOLUTION #12-2021**

**APPOINTING A FORT ANN PLANNING BOARD MEMBER**

On motion of Councilman Smith, seconded by Councilman Sexton to accept resolution entitled “Resolution Appointing a Fort Ann Planning Board Member.”

ADOPTED      AYES 5              Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the Fort Ann Town Board hereby reappoints Chad Wilson to serve as a member of the Fort Ann Planning Board through December 31, 2025.

Supervisor Hall stated that in the past Mr. Wilson's Town of Fort Ann residency has come up but he was the only person that did apply for this position.

**RESOLUTION #13-2021**

**AUTHORIZING FIRE PROTECTION CONTRACTS FOR THE PILOT KNOB VOLUNTEER FIREFIGHTERS ASSOCIATION, INC.; WEST FORT ANN VOLUNTEER FIRE COMPANY, INC.; FORT ANN VOLUNTEER FIRE COMPANY, INC.**

On the motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled "Resolution Authorizing Fire Protection Contracts for the Pilot Knob Volunteer Firefighters Association, Inc.; West Fort Ann Volunteer Company, Inc.; Fort Ann Volunteer Company, Inc."

ADOPTED      AYES 5              Sexton, Stark, Smith, Witherell, Hall

**RESOLVED**, that the Fort Ann Town Board approves said contracts, authorizes the Town Supervisor to sign said contracts on behalf of the Town, and approves disbursing of 2021 budgeted funds for said contracts.

Councilman Sexton asked about auditing the records. Supervisor Hall said that is in the contract. He also explained that instead of taking away \$6,600.00 from their 2021 budget it was only \$5,000.00 taken away allowing \$1,600.00 left for the audit.

**RESOLUTION #14-2021**

**AUTHORIZING RESCUE SQUAD CONTRACT FOR FORT ANN RESCUE SQUAD, INC.**

On the motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled "Resolution Authorizing Rescue Squad Contract for the Fort Ann Rescue Squad, Inc."

ADOPTED      AYES 5              Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the Fort Ann Town Board approves said contract, authorizes the Town Supervisor to sign said contract on behalf of the Town, and approves disbursing the 2021 budgeted funds for said contract.

Supervisor Hall stated that Regina Ladd is the new president at the Fort Ann Rescue Squad. Regina Ladd had advised Supervisor Hall that they were having difficulty finding an auditor but have found one.

**RESOLUTION #15-2021**

**APPOINTING TOWN OF FORT ANN PLANNING BOARD COUNSEL**

On the motion of Councilman Smith, seconded by Councilwoman Stark to accept resolution entitled "Resolution Appointing Town of Fort Ann Planning Board Counsel."

ADOPTED      AYES 5              Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the Fort Ann Town Board does appoint the law firm of Meyer, Fuller & Stockwell, PLLC, 1557 State Route 9, Lake George, New York 12845 as Town of Fort Ann Planning Board Counsel.

**RESOLUTION #16-2021**

**APPOINTING TOWN COUNSEL FOR THE TOWN OF FORT ANN**

On the motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled “Resolution Appointing Town Counsel for the Town of Fort Ann.”

ADOPTED        AYES 5            Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the Fort Ann Town Board does appoint the law firm of Meyer, Fuller & Stockwell, PLLC, 1557 State Rte 9, Lake George, New York 12845 as legal counsel for the Town of Fort Ann.

**RESOLUTION #17-2021**

**APPOINTING TOWN ENGINEER**

On the motion of Councilman Sexton, seconded by Councilwoman Stark to accept resolution entitled “Resolution Appointing Town Engineer.”

ADOPTED        AYES 5            Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, the Fort Ann Town Board hereby does appoint Jarrett Engineers, PLLC, 12 E. Washington Street, Glens Falls, New York 12801 as the Engineer for the Town for the calendar year 2021.

Supervisor Hall stated that library was a not-for-profit project and was going to let Mr. Jarrett know that he should have donated his time to this project.

**RESOLUTION #18-2021**

**APPOINTING MEMBERS TO THE FORT ANN BOARD OF ETHICS**

On the motion of Councilman Smith, seconded by Councilman Sexton to accept resolution entitled “Resolution Appointing Members to the Fort Ann Board of Ethics.”

ADOPTED        AYES 4            Sexton, Smith, Witherell, Hall  
                      ABSTAIN 1        Stark

**RESOLVED**, that the Fort Ann Town Board hereby appoints Mary Davis, Paul Milligan, Tom Jarrett, Terry Barber and Gretchen Stark to the Fort Ann Board of Ethics for a period of one year ending December 31, 2021.

**RESOLUTION #19-2021**

**SETTING 2021 SALARIES OF ELECTED OFFICIALS AND HIGHWAY EMPLOYEES**

On the motion of Councilman Smith, seconded by Councilwoman Witherell to accept resolution entitled “Resolution Setting 2021 Salaries of Elected Officials and Highway Employees.”

ADOPTED        AYES 5            Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the Fort Ann Town Board hereby authorizes and adopts the following year 2021 Salary and Wage Schedules, effective January 1<sup>st</sup>, 2021.

**RESOLUTION #20-2021**

**AUTHORIZING OFFICIAL UNDERTAKING**

On motion of Councilwoman Witherell, seconded by Councilman Sexton to accept resolution entitled

“Resolution Authorizing Official Undertaking.”

ADOPTED      AYES 5              Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the Fort Ann Town Board hereby authorizes the continuation of the blanket undertaking policy for officers, clerks and employees of the Town as provided through Travelers, and approves disbursing the 2021 budgeted funds for said policy.

**RESOLUTION #21-2021  
ESTABLISHING MILEAGE ALLOWANCE**

On the motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled “Resolution Establishing Mileage Allowance.”

ADOPTED      AYES 5              Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, in accordance with the New York State Town Law #116, the Fort Ann Town Board hereby establishes the amount of \$.545 per mile to be allowed for the actual and necessary use of Town employees’ personal automobiles in the performance of employees’ duties.

**RESOLUTION #22-2021  
APPOINTING LISA BARBATO AS DOG CONTROL OFFICER FOR DOG CONTROL PURPOSES WITHIN THE TOWN OF FORT ANN**

On the motion of Councilwoman Witherell, seconded by Councilman Smith to accept resolution entitled “Resolution Appointing Lisa Barbato as Dog Control Officer for Dog Control Purposes within the Town of Fort Ann.”

ADOPTED      AYES 5              Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the Fort Ann Town Board hereby appoints Lisa Barbato as Dog Control Officer as of January 1, 2021 at annual salary of \$7,947.00 per year to be paid on a biweekly basis.

Councilwoman Witherell wanted it mentioned that she thinks Lisa is doing an excellent job as Dog Control Officer.

**RESOLUTION #23-2021  
AUTHORIZING TOWN OF FORT ANN TOWN SUPERVISOR TO ENTER INTO AGREEMENT WITH COUNTRYSIDE VETERINARIAN PRACTICE, P. C. FOR TOWN DOG CONTROL SHELTER SERVICES PURSUANT TO NEW YORK STATE AGRICULTURAL AND MARKETS LAW ARTICLE 7 FOR THE YEAR 2021**

On the motion of Councilman Smith, seconded by Councilman Sexton to accept resolution entitled “Resolution Authorizing Town of Fort Ann Town Supervisor to enter into agreement with Countryside Veterinarian Practice, P. C. for Town Dog Control Shelter Services Pursuant to New York State Agricultural and Markets law 7 for the Year 2021.”

ADOPTED      AYES 5              Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the Town Board hereby authorizes and directs the Town Supervisor to sign and take all necessary steps to enter into the agreement with Countryside, upon final attorney approval.

Supervisor Hall stated there has been an initiative brought up at Washington County about countywide dog control. Probably Town of Fort Ann would opt out because we are in good shape in the dog control area. This initiative is more for the Southern part of Washington County that seems to have dog control issues.

**RESOLUTION #24-2021**

**APPOINTING PART-TIME ENFORCEMENT OFFICER**

On motion of Councilman Smith, seconded by Councilwoman Stark to accept resolution entitled "Resolution Appointing Part-time Enforcement Officer."

ADOPTED      AYES 5              Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the Fort Ann Town Board hereby appoints Mark A. Miller as Part-time Enforcement Officer as of January 1, 2021 at an annual salary of \$11,730.00 and to be paid on a biweekly basis.

**RESOLUTION #25-2021**

**APPOINTING EVA MATTISON AS PART-TIME CLERK TO THE JUSTICE**

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

ADOPTED      AYES 5              Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, the Fort Ann Town Board hereby affirms the appointment of Eva Mattison as the Part-time Clerk to the Town of Fort Ann Justice.

**RESOLUTION #26-2021**

**APPOINTING MONITORS OF THE DAM**

On the motion of Councilman Smith, seconded by Councilwoman Stark to accept resolution entitled "Resolution Appointing Monitors of the Dam."

ADOPTED      AYES 5              Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the Fort Ann Town Board hereby appoints Paul Winchell and Duane Burch, Jr. as the 2021 monitors of the dam.

**RESOLUTION #27-2021**

**APPOINTING TOWN HISTORIAN**

On the motion of Councilwoman Stark, seconded by Councilman Sexton to accept resolution entitled "Resolution Appointing Town Historian."

ADOPTED      AYES 5              Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the Fort Ann Town Board hereby appoints Christine Milligan as Town Historian through December 31, 2021.

**RESOLUTION #28-2021**

**APPOINTING MEMBERS TO THE DISPUTE RESOLUTION COMMITTEE**

On the motion of Councilman Smith, seconded by Councilwoman Stark to accept resolution entitled "Resolution Appointing Members to the Dispute Resolution Committee."

ADOPTED      AYES 5              Sexton, Smith, Stark, Witherell, Hall

**RESOLVED**, that the Fort Ann Town Board hereby appoints Gregory Lehoisky and Donald Bedeaux to serve as members of the Dispute Resolution Committee through December 31, 2021.

Motion was introduced by Councilwoman Witherell, seconded by Councilman Smith to close the Organizational Town Board Meeting at 6:25 p.m.

Motion was carried unanimously.

6:27 p.m. Supervisor Hall opened the January Regular Town Board meeting with the Pledge of Allegiance.

There was a moment of silence for Town of Fort Ann resident Charles "Chuck" Allen in which Supervisor Hall stated he was a highly decorated veteran. Also, Janet Frasier, passed away who was well known in the community for her years of being the Fort Ann Central School District Secretary to the Principal. Motion was introduced by Councilman Smith, seconded by Councilman Sexton to accept tonight's agenda.

Motion was carried unanimously.

Motion was introduced by Councilwoman Witherell, seconded by Councilwoman Stark to accept the Regular Town Board Minutes of December 14, 2020.

Motion was carried unanimously.

Supervisor Hall read the November 2020 monthly financial statement.

**Checking Account Balances**

General Fund	\$ 31,612.20
Highway Fund	\$ 45,352.96
Youth Commission	\$ 8,739.15
Hadlock Dam Project	\$ 240.09
Hadlock Park District Fund	\$ 6,080.31
Consolidated Health District	\$ 370.48
Trust & Agency Fund	\$ 1,627.27
Medical Reimbursement Fund	\$ 4,595.85

**Savings Accounts**

NYCLASS - General Fund	\$ 93,195.86
NYCLASS -Highway Fund	\$407,303.47
NYCLASS- Hadlock Park Dist.	\$ 95,686.25
LOSAP	\$ 2,499.67



Motion was introduced by Councilman Sexton, seconded by Councilman Smith to pay the bills as warranted and audited.

Motion was carried unanimously.

**6:30 p.m. Public Comment opened.**

**6:31 p.m. Public Comment closed without comment.**

**Supervisor's Report:** Supervisor Hall wanted people to be aware of the Washington County website that posts positive COVID #'s on a weekly basis. The numbers keep going up. This is not going away anytime soon. If over 75 years old there is a phone number to call. It just went live. Funeral home, medical and first responder personnel are supposed to get vaccinated immediately. The phones were flooded today with calls from those 75 and older or family members on their behalf about getting vaccinated and people couldn't register but it wasn't communicated that they couldn't register until after 4:00 p.m. Supervisor Hall said this will be a long process that will take longer than the sixteen (16) weeks as anticipated

Supervisor Hall stated that the new highway truck was having an engine issue. It has been repaired but not satisfactorily. The other new truck should be delivered in next week or two.

Supervisor Hall needs a list of projects going on in the Town of Fort Ann from the Planning Board. He received a message from a solar company working on a project in the area (Hawk Road) interested in the PILOT program. Supervisor Hall asked the Attorney for the Town to explain PILOT program. Jeff Meyer said what they are looking for is a set amount for 15 years as part of 727 Real Property Tax Law. All communities have the ability to opt in or out.

Councilman Sexton stated he has been reviewing a few of the local laws/ordinances in the Town of Fort Ann to see if any need updating. Councilman Sexton was concerned that the local laws/ordinances may not be readily available for the public.

Jeff Meyer mentioned that the town board can think about new and different local laws/ordinances or modernize what we have. If the town board modernizes what we have that would give the Enforcement Officer teeth and leverage from an enforcement standpoint.

Councilwoman Stark stated there was no ice fishing derby this year because of COVID. She stated the bike trail is finished but still trying to come up with a way to get people of Route 4 from Fort Ann to Whitehall. The committee will meet January 19, 2021 at the Fort Ann Town Hall to come up with some ideas. She is also working with businesses in the area to see if they are willing to install bike racks outside of their businesses. She also has contacted Fort Ann Motors to see if they would be interested in bike repair.

Councilwoman Stark stated that the Office for the Aging is still providing meals on wheels. Washington County has made ice melt available for anyone over 60 years old.

**Town Clerk's Report** was given for December 2020. The Town Clerk advised that in her office there are local law and ordinances binders available to the public. Periodically she will have someone contact her and if they find what they are looking for will provide them with a copy. Also, if there is someone in

violation of a local law or ordinance the Enforcement Officer will make a copy and send with notice to the offender under the guidance of the Attorney for the Town.

**Highway Superintendent Report:** Not present

**Enforcement Officer Report** was given for December 2020. Supervisor Hall would like to see more detail on the report for instance Demo permits were they for houses or businesses.

**Historian:** Not present

**New Business:** None

7:08 p.m. **Open Public Discussion**

7:09 p.m. **Closed Public Discussion**

Supervisor Hall mentioned that tax collection has started. He asked the Town Clerk how it was going. The Town Clerk advised that the front door is locked but the sign says OPEN. It was printed on the tax bills to call for an appointment. Some do – some don't. People are being urged to use mail, internet and drop box to make their payments.

7:10 p.m. motion was introduced by Councilwoman Witherell, seconded by Councilman Smith to adjourn.

Motion was carried unanimously.

Total Abstracts:	General:	\$15,239.62
	Highway:	\$ 9,842.79

Respectfully submitted,

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

Dated: January 14, 2021