

MINUTES OF THE ORGANIZATION AND REGULAR TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON MONDAY, JANUARY 3, 2022 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

The Organization meeting was called to order at 6:02 p.m. with the Pledge of Allegiance to the Flag.

On motion of Councilman Sexton, seconded by Councilman Smith to approve tonight's organization agenda.

Motion was carried unanimously.

RESOLUTION #1-2022

SETTING 2022 TOWN BOARD MEETING SCHEDULE

On motion of Councilwoman Stark, seconded by Councilwoman Witherell to accept resolution entitled "Resolution Setting 2022 Town Board Meeting Schedule." (2nd Monday of every month, or if a holiday, the 2nd 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.

Supervisor Hall mentioned that he will ask the Attorney for the Town if a resolution is necessary for the Planning Board to change the time from their meetings from 7:00 p.m. to 6:00 p.m. or just mention it at the January 10, 2022 Regular Town Board meeting.

RESOLUTION #2-2022

ESTABLISHING RULES OF PROCEDURE

On motion of Councilman Smith, seconded by Councilman Sexton 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 #3-2022

DELEGATING DUTIES TO THE TOWN SUPERVISOR

On motion of Councilman Sexton, seconded by Councilwoman Stark 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 #4-2022

AUTHORIZING THE TOWN SUPERVISOR TO FILE ANNUAL FINANCIAL REPORT IN TOWN CLERK'S OFFICE

On motion of Councilman Smith, seconded by Councilwoman Witherell to accept resolution entitled "Resolution Authorizing the 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, 2022.

RESOLUTION #5-2022

ESTABLISHING THE OFFICE OF THE DEPUTY TOWN SUPERVISOR

On motion of Councilwoman Witherell, seconded by Councilman Sexton to accept resolution entitled "Resolution Establishing the Office of the Deputy Town Supervisor."

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

RESOLVED, the Deputy Town Supervisor shall be vested with all of the powers and may perform all of the duties of the Town Supervisor in his absence at \$35.00 a day as needed.

RESOLUTION #6-2022

AUTHORIZING ADVANCE APPROVAL OF CLAIMS

On motion of Councilman Smith, seconded by Councilman Sexton 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 #7-2022

ESTABLISHING THE OFFICE OF THE DEPUTY TOWN CLERK

On motion of Councilman Smith, seconded by Councilwoman Stark to accept resolution entitled "Resolution Establishing the Office of the Deputy Town Clerk."

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

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

RESOLUTION #8-2022

ESTABLISHING THE OFFICE OF THE DEPUTY TOWN HIGHWAY SUPERINTENDENT

On motion of Councilman Sexton, seconded by Councilwoman Stark to accept resolution entitled "Resolution Establishing the Office of the Deputy Town Highway Superintendent."

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

RESOLVED, that the Fort Ann Town Board does establish the Office of the Deputy Town Highway Superintendent.

RESOLUTION #9-2022

APPOINTING BUDGET OFFICER

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

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

RESOLVED, that the Fort Ann Town Board hereby appoints Helen Denno as the 2022 Budget Officer.

RESOLUTION #10-2022

AUTHORIZING THE TOWN SUPERVISOR TO DESIGNATE A CONFIDENTIAL SECRETARY/CLERK TO THE SUPERVISOR

On motion of Councilwoman Witherell, seconded by Councilwoman Stark to accept resolution entitled "Resolution Authorizing the Town Supervisor to Designate a Confidential Secretary/Clerk to the Supervisor."

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

RESOLVED, the Fort Ann Town Board does hereby authorize the Town Supervisor to make said appointments, provided that the total expenditures for Town employees may not exceed the total amount budgeted for Town employees in the 2022 Town Budget without further authorization from the Board.

RESOLUTION #11-2022

APPOINTING EVA MATTISON AS PART-TIME CLERK TO THE JUSTICE

On motion of Councilman Smith, seconded by Councilman Sexton 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 through December 31, 2022 at an annual rate of \$18,175.00 to be paid on a biweekly basis.

RESOLUTION #12-2022

APPOINTING HADLOCK DAM MONITORS

On motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled "Resolution Appointing Hadlock Dam Monitors."

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

RESOLVED, that the Fort Ann Town Board hereby reappoints Paul Winchell and Duane Burch, Jr. as the 2022 monitors of the Hadlock dam.

**RESOLUTION #13-2022
APPOINTING A FORT ANN PLANNING BOARD MEMBER**

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

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

RESOLVED, that the Fort Ann Town Board hereby appoints Brian Mattison to serve as a member of the Fort Ann Planning Board through December 31, 2026.

Supervisor Hall mentioned that at the 12/27/2021 Planning Board Meeting it was suggested to have one (1) or two (2) alternate Planning Board Members like they used to. Supervisor Hall wanted to mention it so it would be something that people are keeping in mind.

**RESOLUTION #14-2022
APPOINTING A FORT ANN PLANNING BOARD CHAIRMAN**

On the motion of Councilwoman Witherell, 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.

**RESOLUTION #15-2022
APPOINTING TOWN OF FORT ANN PLANNING BOARD SECRETARY**

On the motion of Councilwoman Witherell, seconded by Councilman Sexton to accept resolution entitled "Resolution Appointing Town of Fort Ann Planning Board Secretary."

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

RESOLVED, that the Fort Ann Town Board hereby appoints Tiffany Ball as Planning Board Secretary through December 31, 2022 at an annual rate of \$5,100.00 to be paid on a biweekly basis.

**RESOLUTION #16-2022
APPOINTING REGISTRAR OF VITAL STATISTICS AND RECORDS**

On the motion of Councilman Smith, seconded by Councilwoman Stark to accept resolution entitled "Resolution Appointing Registrar of Vital Statistics and Records."

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

RESOLVED, that the Fort Ann Town Board hereby reappoints Barbara Winchell as Registrar of Vital Statistics and Records to serve at the pleasure of the Board.

RESOLUTION #17-2022

AUTHORIZING CONTRACT AND PAYMENT WITH PENFLEX FOR PURPOSE OF LOSAP PROGRAM FOR WEST FORT ANN AND PILOT KNOB FIRE DISTRICTS

On the motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled "Resolution Authorizing Contract and Payment with Penflex for Purpose of LOSAP Program for West Fort Ann and Pilot Knob Fire Districts."

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

RESOLVED, that the Fort Ann Town Board authorizes the Town Supervisor to sign contracts on behalf of the Town, and approves disbursing the 2022 budgeted funds for said contracts.

RESOLUTION #18-2022

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

On the motion of Councilwoman Witherell, seconded by Councilwoman Stark to accept resolution entitled "Resolution Authorizing Fire Protection and Rescue Squad Contracts for the Pilot Knob Volunteer Firefighters Association, Inc.; West Fort Ann Volunteer Fire Company, Inc.; Fort Ann Volunteer Fire Company, Inc.; and Fort Ann Rescue Squad, Inc."

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

RESOLVED, that the Fort Ann Town Board hereby approves said contracts, authorizes the Town Supervisor to sign said contracts on behalf of the Town, and approves disbursing the 2022 budgeted funds for said contracts.

Councilman Sexton asked if we have received all of the audits. Supervisor Hall stated that only WFA is outstanding.

RESOLUTION #19-2022

APPOINTING TOWN HEALTH OFFICER

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

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

RESOLVED, that the Fort Ann Town Board hereby appoints David L. Foote, MD as Town Health Officer for a period of one year ending December 31, 2022.

RESOLUTION #20-2022

APPOINTING TOWN ENGINEER

On motion of Councilwoman Stark, seconded by Councilman Smith to accept resolution entitled "Resolution Appointing Town Engineer."

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

RESOLVED, that 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 of Fort Ann for the calendar year 2022.

RESOLUTION #21-2022

APPOINTING TOWN COUNSEL

On the motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled "Resolution Appointing Town 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 Rte 9, Lake George, New York 12845 as legal counsel and as Planning Board counsel.

RESOLUTION #22-2022

APPOINTING MEMBERS TO THE FORT ANN BOARD OF ETHICS

On the motion of Councilman Smith, seconded by Councilwoman Witherell 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, 2022.

RESOLUTION #23-2022

APPOINTING PART-TIME ENFORCEMENT OFFICER

On the motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled "Resolution Appointing Part-Time Town of Fort Ann 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 for the Town of Fort Ann as of January 1, 2022 at an annual salary of \$11,965.00 and to be paid on a biweekly basis.

RESOLUTION #24-2022

SETTING 2022 SALARIES OF ELECTED OFFICIALS AND HIGHWAY EMPLOYEES

On motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled "Resolution Setting 2022 Salaries of Elected Officials and Highway Employees."

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

RESOLVED, that the Fort Ann Town Board authorizes and directs the Town Supervisor and/or Town Budget Officer to take all action necessary to effectuate the terms of this Resolution.

RESOLUTION #25-2022

AUTHORIZING OFFICIAL UNDERTAKING

On the motion of Councilman Sexton, seconded by Councilwoman Stark to accept resolution entitled "Resolution Authorizing Official Undertaking."

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

RESOLVED, 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 2022 budgeted funds for said policy.

RESOLUTION #26-2022

ESTABLISHING MILEAGE ALLOWANCE

On the motion of Councilman Sexton, seconded by Councilwoman Witherell to accept resolution entitled "Resolution Establishing Mileage Allowance."

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

RESOLVED, that the Fort Ann Town Board hereby establishes the amount of mileage reimbursement to be \$.545.

RESOLUTION #27-2022

AUTHORIZING BANKING TRANSACTIONS

On the motion of Councilwoman Witherell, seconded by Councilman Smith to accept resolution entitled "Resolution Authorizing Banking Transactions."

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

RESOLVED, that the Fort Ann Town Board authorizes and directs the Town Supervisor, Deputy Town Supervisor and/or Town Budget Officer to take any and all action necessary to effectuate all terms of this Resolution.

RESOLUTION #28-2022

APPOINTING LISA BARBATO AS DOG CONTROL OFFICER FOR DOG CONTROL PURPOSES WITHIN THE TOWN OF FORT ANN

On the motion of Councilman Smith, seconded by Councilwoman Stark 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, 2022 at an annual salary of \$8,106.00 per year to be paid on a biweekly basis.

RESOLUTION #29-2022

DESIGNATING OFFICIAL NEWSPAPER

On motion of Councilman Sexton, 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 #30-2022
AUTHORIZING TOWN OF FORT ANN TOWN SUPERVISOR TO ENTER IN TO AGREEMENT FOR TOWN DOG CONTROL SHELTER SERVICES PURSUANT TO NEW YORK STATE AGRICULTURE AND MARKETS LAW ARTICLE 7 FOR THE YEAR 2022**

Supervisor Hall suggested this be TABLED until the Fort Ann Town Board Regular Meeting January 10, 2022 as the Attorney for the Town is working on a 2022 Shelter Agreement. Supervisor Hall spoke with Elizabeth Holmes of NYS Ag & Markets about Lisa Barbato providing dog shelter services. Supervisor Hall said that Lisa does have nice cages and a garage to keep the dogs in. Elizabeth Holmes had advised that there were some motorcycles that had to be cleared out of the garage for instance.

**RESOLUTION #31-2022
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, 2022.

Supervisor Hall mentioned this may come into effect with Biosolid topic.

**RESOLUTION #32-2022
APPOINTING TOWN HISTORIAN**

On the motion of Councilman Sexton, seconded by Councilman Smith 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 at an annual salary of \$880.00 through December 31, 2022.

**RESOLUTION #33-2022
APPOINTING PART-TIME ACCOUNT CLERK**

On the motion of Councilman Smith, seconded by Councilman Sexton to accept resolution entitled "Resolution Appointing Part-Time Account Clerk."

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

RESOLVED, the Town Board of the Town of Fort Ann appoints Helen A. Denno as Part-Time Account Clerk at the hourly rate of \$25.00 an hour to be paid biweekly through December 31, 2022.

RESOLUTION #34-2022

APPOINTING PART-TIME LABORER

On the motion of Councilman Sexton, seconded by Councilwoman Stark to accept resolution entitled "Resolution Appointing Part-Time Laborer."

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

RESOLVED, that the Town Board of the Town of Fort Ann appoints Frank Cottone as Part-Time Laborer at \$14.15/hr to be paid biweekly through December 31, 2022.

Supervisor Hall mentioned what a great job Mr. Cottone does at the Fort Ann Town Hall and the Old Stone House Library with the snow removal and landscaping. Everyone is very happy with his work and glad to have him.

RESOLUTION #35-2022

CHANGING AUTHORIZED PARTY

On the motion of Councilman Smith, seconded by Councilwoman Witherell to accept resolution entitled "Resolution Changing Authorized Party."

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

RESOLVED, that with respect to the Town of Fort Ann Tax Collector Account with Glens Falls National Bank that Samuel J. Hall, Fort Ann Town Supervisor, and Al Nolette, Washington County Treasurer in their capacity are authorized to be added to this account. All other names which are currently listed for this account should be removed.

6:50 p.m. motion was introduced by Councilman Smith, seconded by Councilwoman Witherell to adjourn.

Motion was carried unanimously.

Respectfully submitted,

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

Dated: January 6, 2022