MINUTES OF THE REGULAR TOWN BOARD & ORGANIZATIONAL MEETING OF THE TOWN OF FORT ANN HELD ON MONDAY, JANUARY 8TH, 2024 AT 6:00 P.M. AT THE FORT ANN VOLUNTEER FIRE DEPARMENT

PRESENT: Supervisor Samuel J. Hall

Councilman Michael Sexton Councilman George F. Smith Councilwoman Gretchen Stark Councilwoman Deborah Witherell

OTHERS PRESENT: Miranda Herringshaw- Town Clerk, Jeffrey Meyer-Attorney for the Town, Mark Miller- Part-time Enforcement Officer, John Moskos, Lyle Washburn, Bill Baily, Penny Gould, Don Bedeaux, Duane Burch Sr., Barb Burch, Duane Burch Jr., Joan Degener, Cindy Porter, Steve Green

ABSENT: Christine Milligan-Town of Fort Ann Historian, Shannon Celeste- Dog Control Officer, Paul Winchell-Highway Superintendent

Supervisor Hall opened the January Regular Town Board meeting with the Pledge of Allegiance.

Moment of silence was held for the following Fort Ann residents: Jim Seeley & Tim Stachnick

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

Motion was carried unanimously.

Motion was introduced by Councilman Smith, seconded by Councilwoman Stark to accept the Regular Town Board Minutes of December 13th, 2023.

Motion was carried unanimously.

Supervisor Hall read the November 2023 monthly financial statement.

Checking Account Balances

General Fund	\$ 47,594.99
Highway Fund	\$ 12,435.41
Youth Commission	\$ 6,077.06
Hadlock Dam Project	\$ 240.09
Hadlock Park District Fund	\$ 36,337.78
Consolidated Health District	\$ 370.48
Trust & Agency Fund	\$ 3,340.17
Medical Reimbursement Fund	\$ 6,007.40

Savings Accounts

NYCLASS - General Fund	\$ 921,020.64
NYCLASS -Highway Fund	\$ 102,914.99
NYCLASS- Hadlock Park Dist.	\$ 48,735.97

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

Motion was carried unanimously.

6:04 p.m. Public Comment opened.

6:05 p.m. Public Comment closed without comment.

Supervisor& Town Board Members Reports:

Supervisor Hall stated that he had been working on various end of year reports, along with putting together a few different committees/working groups for various projects including solar committee, right to farm law committee, and noise ordinance committee. He also stated that bids on the new highway department have gone out to bid and will be awarded mid- March and should be breaking ground in mid- April.

Councilwoman Witherell – no news to report.

Councilman Sexton- no news to report.

Councilman Smith- stated that a buoy needs to be replaced he looked into the cost of a new buoy which will be \$1485.00, so he stated that he would be looking into other options due to the large expense.

Duane Burch Jr. stated that he believed that there are extra buoys at the highway department and he would take a look to see what they had, and if there were any, he would let Councilman Smith know.

Councilwoman Stark stated that the Hadlock Fishing Derby date was pushed back to February 10th, 2024 weather permitting due to the lack of ice. Also stated that there will be a lifeguard training class February 19, 2024 and again in March and April. The Office of the Aging will be holding a pop-up luncheon on Thursday at the West Fort Ann Church, if anyone would like to attend, please be sure to RSVP to the County. Also, there is free ice melt available to anyone in need at the Office of the Aging.

Town Clerk's Report was given for December 2023. Town Clerk stated that she had brought short term rental applications for permits to the meeting if anyone would like to pick any of them up. Also stated that she would like to thank Barb Burch, and the Highway Department for all of the help cleaning out the basement at Town Hall.

Highway Superintendent Report: Not Present.

Enforcement Officer Report: Paper report was given.

Dog Control Officer Report: Paper report was given.

Historian: Not present

Old Business: 4.0 Old Business

Supervisor Hall stated that the certificate of need for Queensbury EMS to take over the health care in the Pilot Knob area has been completed.

New Business: 5.0 New Business

RESOLUTION #1-2024

SETTING 2024 TOWN BOARD MEETING SCHEDULE

On motion of Councilman Sexton, seconded by Councilwoman Stark to accept resolution entitled "Resolution Setting 2024 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 every month, or if a holiday, the 2nd Tuesday of that month.

RESOLUTION #2-2024

ESTABLISHING RULES OF PROCEDURE

On motion of Councilwoman Witherell, 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 #3-2024

DELEGATING DUTIES TO THE TOWN SUPERVISOR

On motion of Councilman Sexton, seconded by Councilman Smith 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 #4-2024

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

On motion of Councilwoman Stark, 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, 2024.

RESOLUTION #5-2024

ESTABLISHNG THE OFFICE OF THE DEPUTY TOWN SUPERVISOR

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

ADOPTED AYES 5 Abstain 1 (Sexton) Smith, Stark, Witherell, Hall

Supervisor Hall appoints Michael D. Sexton as Deputy Town Supervisor.

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 #6-2024

AUTHORIZING ADVANCE APPROVAL OF CLAIMS

On motion of Councilman Sexton, seconded by Councilwoman Witherell 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 #7-2024

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 #8-2024

ESTABLISHING THE OFFICE OF THE DEPUTY TOWN HIGHWAY SUPERINTENDENT

On motion of Councilman Sexton, seconded by Councilwoman Witherell 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.

Highway Superintendent Paul Winchell appoint Matthew Graham as Deputy Town Highway Superintendent.

RESOLUTION #9-2024

APPOINTING BUDGET OFFICER

On motion of Councilwoman Witherell, 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 2024 Budget Officer.

RESOLUTION #10-2024

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

On motion of Councilman Sexton, seconded by Councilman Smith 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 2024 Town Budget without further authorization from the Board.

RESOLUTION #11-2024

APPOINTING BRITTANY BLAIR AS PART-TIME CLERK TO THE JUSTICE

On motion of Councilman Smith, seconded by Councilwoman Witherell to accept resolution entitled "Resolution Appointing Brittany Blair 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 Brittany Blair as the Part-Time Clerk to the Town of Fort Ann Justice through December 31, 2024 at an annual rate of \$20,539.00 to be paid on a biweekly basis.

RESOLUTION #12-2024

APPOINTING HADLOCK DAM MONITORS

On motion of Councilman Smith, seconded by Councilman Sexton 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 2024 monitors of the Hadlock dam.

RESOLUTION #13-2024

APPOINTING A FORT ANN PLANNING BOARD CHAIRMAN

On the motion of Councilman Sexton, seconded by Councilman Smith 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 #14-2024

APPOINTING TOWN OF FORT ANN PLANNING BOARD SECRETARY

On the motion of Councilman Smith, 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 Barb Burch as Planning Board Secretary through December 31, 2024 at an annual rate of \$10,000.00 to be paid on a biweekly basis.

RESOLUTION #15-2024

APPOINTING REGISTRAR OF VITAL STATISTICS AND RECORDS

On the motion of Councilwoman Stark, seconded by Councilwoman Witherell 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 appoints Miranda Herringshaw as Registrar of Vital Statistics and Records to serve at the pleasure of the Board.

RESOLUTION #16-2024

RESOLUTION APPOINTING MEMBERS TO THE DISPUTE RESOLUTION COMMITTEE

On the motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled "Resolution Appointing Members of 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, 2024.

RESOLUTION #17-2024

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 Councilman Sexton 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 2024 budgeted funds for said contracts.

RESOLUTION #18-2024

APPOINTING TOWN HEALTH OFFICER

On the motion of Councilwoman Witherell, 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, 2024.

RESOLUTION #19-2024

APPOINTING TOWN ENGINEER

On 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, that the Fort Ann Town Board hereby does appoint RU Holmes Engineers, PLLC, 12 E. Washington Street, Glens Falls, New York 12801 as the Engineer for the Town of Fort Ann for the calendar year 2024.

RESOLUTION #20-2024

APPOINTING TOWN COUNSEL

On the motion of Councilwoman Stark, seconded by Councilwoman Witherell 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 Route 9, Lake George, New York 12845 as legal counsel and as Planning Board counsel.

RESOLUTION #21-2024

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, 2024.

RESOLUTION #22-2024

APPOINTING PART-TIME ENFORCEMENT OFFICER

On the motion of Councilman Smith, seconded by Councilwoman Stark 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, 2024 at an annual salary of \$13,000.00 and to be paid on a biweekly basis.

RESOLUTION #23-2024

SETTING 2024 SALARIES OF ELECTED OFFICIALS AND HIGHWAY EMPLOYEES

On motion of Councilman Sexton, seconded by Councilwoman Witherell to accept resolution entitled "Resolution Setting 2024 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 #24-2024

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 \$.625.

RESOLUTION #25-2024

AUTHORIZING BANKING TRANSACTIONS

On the motion of Councilman Sexton, 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 #26-2024

APPOINTING SHANNON CELESTE AS DOG CONTROL OFFICER FOR DOG CONTROL PURPOSES WITHIN THE TOWN OF FORT ANN

On the motion of Councilman Smith, seconded by Councilwoman Witherell to accept resolution entitled "Resolution Appointing Shannon Celeste 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 Shannon Celeste as Dog Control Officer as of January 1, 2024 at an annual salary of \$9,000.00 per year to be paid on a biweekly basis.

RESOLUTION #27-2024

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 #28-2024

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 2024

On motion of Councilman Smith, seconded by Councilman Sexton to accept resolution entitled "Resolution 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 2024"

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 in to the agreement with Countryside, upon final attorney approval.

RESOLUTION #29-2024

APPOINTING TOWN HISTORIAN

On the motion of Councilwoman Witherell, seconded by Councilwoman Stark 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 \$1,100.00 through December 31, 2024.

RESOLUTION #30-2024 APPOINTING PART-TIME ACCOUNT CLERK

On the motion of Councilwoman Witherell, 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 \$32.00 an hour to be paid biweekly through December 31, 2024.

RESOLUTION #31-2024

APPOINTING PART-TIME LABORER

On the motion of Councilman Smith, 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 \$18.00/hr to be paid biweekly through December 31, 2024.

RESOLUTION 32-2024

RESOLUTION APPOINTING DEPUTY REGISTRAR OF VITAL STATISTICS AND RECORDS

On the motion of Councilman Sexton, seconded by Councilwoman Stark to accept resolution entitled "Resolution appointing Deputy Registrar of Vital Statistics and Records"

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

RESOLVED, that the Fort Ann Town Board hereby appoints Jennifer Jackson as Deputy Registrar of Vital Statistics and Records to serve at the pleasure of the Board.

RESOULTION 33-2024

RESOLUTION AUTHORIZING OFFICIAL UNDERTAKING

On the motion of Councilman Sexton, seconded by Councilman Smith 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 2024 budgeted funds for said policy.

6:40 p.m. Public Discussion opened

Lyle Washburn stated his dismay with town/county taxes, stating that his taxes alone went up \$551.00 for the year, and that he feels it is unfair that the Hadlock Residents are having to pay on the dam district, that he believes that it should be spread out evenly over the entire Town and not just Hadlock Residents. He stated that Supervisor Hall's taxes only went up \$77 along with Councilman Sexton's that

went up \$109 and that those amounts can be easily absorbed but \$500 plus is a lot to absorb for the average person.

Bill Bailey asked what the current interest rate was on the dam bond? Supervisor Hall stated he was unsure but would look into that and rely the information.

Councilman Smith stated that the bond payment would be paid off in 2032, and he was looking forward to that. (The next day after the meeting Supervisor Hall looked into the interest rate on the bond which is currently at 3% with a max rate of 4% by the maturity date, and the year that the dam will be paid off is actually 2036).

Barb Burch asked about the West Fort Ann Fire department and wondered if there is a plan in place so that the fire district cannot purchase another truck without authorization from the Town?

Supervisor Hall stated that the WFA Firehouse is a non for profit so the Town has no jurisdiction over what the company can or cannot buy, the only thing the Town is responsible for is the money awarded to the fire districts during budget time, the Town does not have to approve the purchase but the Town also does not have to award the money in the budget to pay for said purchases, that were not approved by the Town Board at the time of purchase.

6:55 p.m. Public Discussion Closed

6:56 p.m. Motion was introduced by Councilman Smith, seconded by Councilwoman Witherell to adjourn.

Motion was carried unanimously.

Total Abstracts: General: \$29,420.91

Highway: \$22,081.99 Hadlock Park District: \$5,100.00

Respectfully submitted,

Miranda Herringshaw, Town Clerk

Dated: January 22, 2024 Town of Fort Ann, New York