

**MINUTES OF THE REGULAR TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON MONDAY, NOVEMBER 13, 2017 AT 6:00 P.M. AT THE FORT ANN TOWN HALL**

**PRESENT:** Councilman Dennis Fletcher  
Councilwoman Gretchen Stark  
Councilman Floyd Varney  
Councilwoman Deborah Witherell

**ABSENT:** Supervisor Richard Moore

**OTHERS PRESENT:** Paul Winchell, Highway Superintendent, Helen Denno, Confidential Secretary to the Supervisor/Bookkeeper, Barbara Winchell, Town Clerk, Jeff Meyer, Attorney for the Town, Callie Ginter, The Post Star, Mark Miller, Enforcement Officer, Todd Humiston, Dog Control Officer, Joe Loszynski, Dale Grinnell, Barbara Eagle, Lindsay Carte, Claire Greene, Deb Foote, Karen Campbell, Arlene Green, Hank Jordan, Barbara Jordan, Chad Wilson, Michelle Vara, Floyd Ladd, Gene Connell, Constance Sill, James Roll, Georgia VanGuilder, Sandy Schlotter

Meeting was called to order at 6:01 p.m. with the Pledge of Allegiance to the Flag and a moment of silence was held for deceased Fort Ann residents, Corey Beudet, Ellen Paigo and Barbara J. Wilson (Allen).

Motion was introduced by Councilman Varney, seconded by Councilman Fletcher to accept budget workshop minutes from October 2, 2017.

Motion was carried.

Motion was introduced by Councilman Varney, seconded by Councilman Fletcher to accept the Regular Town Board minutes of October 10, 2017.

Motion was carried.

Motion was introduced by Councilman Varney, seconded by Councilwoman Stark to accept the budget workshop minutes from October 16, 2017.

Motion was carried.

Motion was introduced by Councilman Fletcher, seconded by Councilman Varney to accept the public hearing minutes from November 2, 2017.

Motion was carried.

Councilwoman Witherell read the October 2017 monthly financial statement.

**Receipts for the month of October**

General Fund \$ 74,001.57

**Disbursements**

General Fund \$ 42,765.64

Highway \$ 195,694.91

**Checkbook Balances**

General Fund \$ 58,883.93  
Highway Fund \$ 68,946.12  
Youth Commission \$ 2,387.15  
Hadlock Dam Project \$ 239.88  
Hadlock Park District Fund \$ 4,323.72  
Consolidated Health District \$ 253.34  
Trust & Agency Fund \$ 332.54  
Medical Reimbursement Fund \$ 100.60

**Savings Accounts**

General Fund \$ 520,014.26  
Hadlock Park District \$ 33,778.03  
Highway Fund \$ 295,161.75  
LOSAP \$ 14,316.89

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

Motion was carried.

**6:06 p.m. Public Comment opened** for items on the agenda. Michel Vara asked about Resolution #100 listed on tonight's agenda "Authorize the Spending of \$3,089.88 for the Repair of the Kayak Launch." She was concerned because during the 2018 budget process and the Fort Ann Rescue Squad needing money to operate. Councilwoman Witherell stated that item has been tabled until next month. Councilwoman Stark stated it's part of a grant.

**6:07 p.m. Public comment closed.**

**Supervisor's Report:** Councilwoman Witherell referred to the Property tax relief freeze credit change based on income and STAR eligibility. There is a two (2) page informational sheet available at <https://www.tax.ny.gov/pit/property/property-tax-relief.htm> or a paper copy is available in the Town Clerk's Office.

Monday music night's in the Village Park will relocate to the gazebo at the waterfront park for the Summer of 2018 due to overhanging branches and safety concerns at the Village Park.

Councilwoman Witherell stated that tomorrow night, November 14, 2017, there is a Village Public Information Meeting/Eminent Domain Procedure Law Public Hearing being held at the Fort Ann Town Hall from 6:00 p.m. – 8:00 p.m. (Construction of the Canalway Trail from the Town of Kingsbury to the Village of Fort Ann).

At the October 10, 2017 Town Board Meeting Councilwoman Witherell asked the Town Board to consider an ordinance providing for the regulation of small farm operations in the Town of Fort Ann to protect animals and co-owners of property. She realizes that people aren't going to be happy about this because Fort Ann is a farming community. She has already been contacted by Larry Bailey that he is

very upset about this. Mr. Bailey asked Councilwoman Witherell if this came about because of one person specifically her neighbor. Councilwoman Witherell responded yes but she would be doing this regardless of whether it was a neighbor or not because she has found no laws governing for farms on how to treat animals or treat your neighbors. Unless you own 200 or more head of cattle there's no regulations. Councilwoman Witherell stated she has done a lot of research on this topic. A motion was introduced by Councilman Varney, seconded by Councilwoman Stark to hold a public hearing December 11, 2017 at 6:05 p.m. at the Fort Ann Fire house.

Motion was carried with Councilman Fletcher voting no and Supervisor Moore being absent.

**Town Clerk's Report** was given for October 2017.

**Highway Superintendent Report:** Regrading dirt roads and preparing equipment for winter.

Councilwoman Stark stated she is attending the Public Information Meeting/Eminent Domain Procedure Law Public Hearing tomorrow night.

Councilman Fletcher stated he wanted to attend the Public Information Meeting/Eminent Domain Procedure Law Public Hearing but will not be able to.

Councilman Varney asked Todd Humiston, Dog Control Officer, if his duties include cats. Todd Humiston replied no he is no authority to handle cats under NYS Law.

**Enforcement Officer Report** was given for the month of October 2017. Councilman Fletcher asked the Enforcement Officer to follow up with resident, Georgia VanGuilder, on her concern that she has brought to the Town Board's attention with regards to the trailer park across from AutoSaver Ford on Route 22 in Comstock as well as any other outstanding issue/concerns she may have about boat storage. Mark said he will follow-up with Mrs. VanGuilder.

**Dog Control Report:** paper copy was given to Town Board Member's. Todd said he would like to follow up on something he mentioned to the Town Board over the summer. He'd like to have a workshop about updating the local law with regards to dogs being seized. Councilwoman Witherell stated she would mention it to Supervisor Moore. Councilman Fletcher said he noticed that complaint calls are way up. Todd responded that weather/time of year seems to play a factor in calls being up.

**Historian Report:** None

**Lake Hadlock Project Manager,** Joseph Loszynski, emailed a copy of his monthly report to the Town Board Member's. A paper copy is on file in the Town Clerk's Office for anyone who would like a copy.

#### **RESOLUTION #96-17**

#### **TO ADOPT 2018 BUDGET**

On motion of Councilman Varney, seconded by Councilman Fletcher to accept resolution entitled "Resolution to Adopt 2018 Budget."

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

**RESOLVED**, that the Town Board of the Town of Fort Ann adopts the 2018 budget.

**RESOLUTION #97-17  
FOR THE APPOINTMENT OF A MEMBER TO THE BOARD OF ASSESSMENT REVIEW**

**TABLED**

**RESOLUTION #98-17  
TO ACCEPT PLANNING BOARD SECRETARY RESIGNATION**

On motion of Councilman Varney, seconded by Councilwoman Stark to accept resolution entitled "Resolution to Accept Planning Board Secretary Resignation."

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

**RESOLVED**, that the Town Clerk is to advertise the vacancy in The Post Star and the Town Supervisor is authorized to interview qualified applicants, and to recommend a qualified applicant to the Town Board for potential hire.

**RESOLUTION #99-17  
RATIFYING AN AGREEMENT FOR ADVANCE PAYMENT AUTHORIZING RICHARD MOORE TO EXECUTE CLOSING PAPERS ON BEHALF OF THE TOWN OF FORT ANN**

On motion of Councilman Fletcher, seconded by Councilman Varney to accept resolution entitled "Resolution Ratifying an Agreement for Advance Payment Authorizing Richard Moore to Execute Closing Papers on Behalf of the Town of Fort Ann."

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

**RESOLVED**, that the Agreement for Advance Payment is hereby accepted and ratified and that Richard Moore is hereby designated as the person to execute any and all closing papers with regard to this transfer to the State of New York.

**RESOLUTION #100-17  
AUTHORIZE THE SPENDING OF \$3,089.88 FOR THE REPAIR OF THE KAYAK LAUNCH**

**TABLED**

**6:35 p.m. Open Public Discussion** with Michelle Vara stating she wrote a letter to the Town Board Member's and wants it put into the minutes. A paper copy is on file in the Town Clerk's Office for anyone who would like a copy. She has three (3) questions that she'd like the Town Board to think about: What you as representatives of the town plan on doing to change the tone of employee's or contract workers; Where does the Board stand on accountability; How do you plan on bringing the community back together instead of separated?

Barbara Eagle thanked the Town Board for their support in purchasing banners a few years ago. It is now time to replace the banners in March or April of 2018 and would appreciate their support like they

did four (4) years ago. Councilman Fletcher asked how much the cost would be. Barbara Eagle stated It would be \$699.00. Councilwoman Witherell stated she would refer to Supervisor Moore.

Lindsay Carte, 10662 State Rte 149, Fort Ann stated that Attorney Claudia Braymer had sent a letter to the Town Board last month's meeting in regards to the local law 4 site plan review. Mr. Carte was wondering if there's been any discussion because when he spoke to Supervisor Moore he was supposed to speak with Attorney Jeff Meyer. Attorney Meyer responded there is nothing further to report.

Dale Grinnell, 5690 State Route 4, Fort Ann asked Councilwoman Stark how will the trail get from Fort Ann to Whitehall. Councilwoman Stark stated that is still a big question but the trail will eventually reach the Canadian border.

James Roll, 14 Charles Street, Fort Ann asked what is going on with the drainage outside his home. Mr. Roll said he has lived her for nine (9) years and there was never a gutter until two (2) years ago. He said it is very dangerous with winter coming and especially icy conditions. He is experiencing vehicle damage and property damage. The Fort Ann Highway Superintendent commented that he knows the work to be done on County Rte 16 has been postponed until next year by Washington County. Councilwoman Witherell advised him he should follow up with Washington County and she'll ask Supervisor Moore to follow-up with the Washington County Highway Superintendent.

Georgia VanGuilder, 14 Thomas Rd., Whitehall stated she has been bringing issues to the Town Board for eighteen (18) months and is very frustrated about the trailer park on Route 22 across from AutoSaver that they make additions without the proper permitting. Georgia stated that at least two (2) of the trailers have doubled in size. Georgia also heard that the boat storage has been sold. Mark Miller said he spoke with the owner of the boat storage and he advised it hasn't been sold. Georgia said she was getting her information from the spouse of the owner of the boat storage. Mark Miller stated that some of the problem is that Washington County Code Enforcement Officer has turned over three (3) times but he will follow-up with Washington County.

**6:54 p.m. close of Public Discussion**

Motion was carried.

6:55 p.m. Motion was introduced by Councilman Varney, seconded by Councilwoman Stark to adjourn.

Motion was carried.

Total Abstracts:	General:	\$ 22,974.79
	Highway:	\$ 50,844.68
	Hadlock Park District:	\$ 388.33
	Youth Commission	\$ 1,092.00

Respectfully submitted,

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

Dated: November 21, 2017