

MINUTES OF THE REGULAR TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON TUESDAY, NOVEMBER 13, 2018 AT 6:00 P.M. AT THE FORT ANN TOWN HALL

PRESENT: Supervisor Richard Moore
Councilman Dennis Fletcher
Councilman Samuel Hall
Councilwoman Gretchen Stark

ABSENT: Councilwoman Deborah Witherell
Paul Winchell, Highway Superintendent

OTHERS PRESENT: Barbara Winchell, Town Clerk, Jeff Meyer, Attorney for the Town, Gwen Craig, The Post Star, Mark Miller, Enforcement Officer, Dale Grinnell, Bill Bailey, Penny Gould, Chad Wilson, Michelle Vara, Mary Davis, Tom Lumbis

Meeting was called to order at 6:00 p.m. with the Pledge of Allegiance to the Flag and a moment of silence was held for deceased Fort Ann residents James "Jim" Joseph Butler, Danny LeRoyce Barrett, Thomas A. Purdy, Helga Stutz-Miller, Maurice S. Fredette, Michael LaCross, Eric Wemett and Barbara E. Krzys.

Motion was introduced by Councilwoman Stark, seconded by Councilman Hall to accept tonight's agenda.

Motion was carried.

Motion was introduced by Councilman Fletcher, seconded by Councilwoman Stark to accept the Regular Town Board Minutes of October 9, 2018.

Motion was carried.

Motion was introduced by Councilman Hall, seconded by Councilman Fletcher to accept the minutes from budget workshop from October 16, 2018.

Motion was carried.

Motion was introduced by Councilwoman Stark, seconded by Councilman Hall to accept the minutes from the Special Town Board meeting for November 1, 2018 regarding the Hadlock Emergency Action Plan review.

Motion was carried.

Motion was introduced by Councilman Hall, seconded by Councilwoman Stark to accept the minutes from the November 8, 2018 public hearing for the 2019 budget.

Motion was carried.

Supervisor Moore read the September and October 2018 monthly financial statements.

Receipts for the month of September		Receipts for the month of October	
General Fund	\$ 33,585.11		\$ 95,509.16
Disbursements			
General Fund	\$ 89,446.04		\$ 45,058.03
Highway	\$ 302,504.12		\$266,427.98
Checking Account Balances			
General Fund	\$ 36,839.10		\$ 87,290.23
Highway Fund	\$ 71,781.47		\$ 59,311.33
Youth Commission	\$ 1,883.96		\$ 1,994.04
Hadlock Dam Project	\$ 239.99		\$ 240.00
Hadlock Park District Fund	\$ 2,252.36		\$ 4,757.76
Consolidated Health District	\$ 461.95		\$ 461.97
Trust & Agency Fund	\$ 813.81		\$ 831.55
Medical Reimbursement Fund	\$ 100.90		\$ 100.91
Savings Accounts			
General Fund	\$435,247.45		\$360,263.78
Hadlock Park District	\$ 74,501.76		\$ 64,501.76
Highway Fund	\$495,543.96		\$245,562.74
LOSAP	\$ 15,218.25		\$ 15,210.97

Supervisor Moore stated he emailed the actual budget vs actual spent to the town board and asked the town board if they had any questions – they did not.

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

Motion was carried.

Public comment opened at 6:10 p.m. on tonight’s agenda.

Public comment closed at 6:11 p.m. with no comments.

Public Hearing opened at 6:12 p.m. for considering a proposed local law decreasing the number of planning board seats from seven (7) to five (5). This was advertised in *The Post Star* on October 30, 2018.

Chad Wilson stated he would like to see the number of planning board seats remain at seven (7).

Supervisor Moore announced this would be tabled until the December town board meeting.

Public Hearing tabled at 6:13 p.m., regular session was resumed

Supervisor's Report:

Supervisor Moore congratulated both the varsity boys and girls soccer teams. The girls finished second in state for Class D.

Supervisor Moore stated that the Town Board along with the Highway Superintendent, Washington County Public Safety and West Fort Ann Fire Company reviewed/updated the Hadlock Emergency Action Plan. Changes were made to the A & B flowcharts.

Supervisor Moore received a letter from Lake George Association regarding voting on septic system like what the Town of Queensbury has (where there's zoning). Supervisor Moore referred this to the Attorney for the Town. The Attorney for the Town will advise the Town Board of its options next month.

Supervisor Moore thanked the Lake Hadlock Association for the \$110.00 check it sent to the summer recreation department.

Supervisor Moore stated there are four (4) carriers interested in providing Broadband to the Town of Fort Ann and he will keep the town updated.

Supervisor Moore stated the work at Hogtown has not yet been awarded by NYSDOT to Ellsworth & Son. Ellsworth & son are still working with NYSDOT. Expect to start late summer of 2019 and finish by the end of November 2019.

Supervisor Moore received a request from Virginia Parrott's daughter, Rebecca, that she would like to see a sign in Virginia's memory possibly by the park or near the library. Supervisor Moore recommended she work with the Fort Ann Historical Society.

Supervisor Moore stated he has had a couple of meetings with Randy at Northern Trucking regarding the Harvester. The company that built the Harvester is out of business but there is a person who built the current Harvester who works in Weedsport, New York. Randy will reach out to him to find out the proper pressure readings should be for spools.

Joseph Messina with the Nader Group stopped at the Town Hall to meet with Supervisor Moore. He wanted to advise that he has a project here in Fort Ann with FEMA and Washington County.

Supervisor Moore stated that the Regular Town Board Meeting's for December, January, February and March will be held at the Fort Ann Firehouse at 6:00 p.m.

Town Clerk's Report was given for October 2018.

Highway Superintendent Report: None

Councilwoman Stark stated she attended a meeting at the Office for the Aging and the materials are on the Town Hall bulletin board for anyone interested. She stated there is information to help with heating costs and brochures on scams. She stated that there was a luncheon at the Old Stone House Library and there will be another on December 11,18 for \$3.00 for anyone that is interested.

Councilwoman Stark also congratulated the Fort Ann boys and girls varsity soccer teams.

Councilwoman Stark stated there are brochures regarding Christmas in the Country being held November 30th, December 1st and 2nd.

Councilwoman Stark stated there is a Champlain Canal trail meeting scheduled for November 14, 2018.

Councilman Hall stated that the odor at the Old Stone House Library is back and a plumber has been contacted.

Councilman Hall is planning a Battle Hill meeting for the 1st or 2nd week of December.

Councilman Fletcher would like to see the town send a letter to Battle Hill Brewery congratulation them for receiving a small business of year award from Washington County. They've only been in business three (3) years and it is quite an accomplishment. Supervisor Moore stated that is a good idea.

Enforcement Officer Report was given for the month of October 2018.

Historian Report: None

Dog Control Report: paper copy was given to Town Board Member's.

New Business: 5.1 timing of drawdown and filling of Hadlock Pond. Supervisor Moore would like to wait and discuss this when the Highway Superintendent is in attendance.

5.2 James Buono, Potential Management Group, partners with National Grid, NYSEC, Central Hudson and NYSERDA. Specializing in Energy reduction projects for LED Lighting. He provided a handout for the Town Board members and there is one on file with the Town Clerk for anyone that would like a copy. The discussion focused on two (2) separate discussion items. The first was negotiating an energy supply services agreement with the town vis a vis National Grid that would provide reduced energy cost resulting in savings to the Town.

Motion made by Councilman Hall, seconded by Councilman Fletcher to go out to bid for energy supply services.

Motion was carried.

The second point of discussion was replacing the lights in the Town Hall and Highway Garage with energy efficient LED bulbs. The preliminary figures presented by Mr. Buono showed the cost benefit analysis by changing to LED lights, resulting in annual savings to the Town. Were the Town to approve, the final figures would be determined by National Grid after performing a site inspection to confirm the number and types of fixtures. Supervisor Moore verified with the Attorney for the Town that if it is a state contract you don't have to go out to bid.

Motion made by Councilman Fletcher, seconded by Councilman Hall to approve the preliminary contracts and authorizing Supervisor Moore to execute the same along with the final contracts, contingent upon final pricing being received from National Grid in December 2018 or January 2019 within 10% of the preliminary estimates.

Motion was carried.

5.3 Open RFP's for Suction Harvesting Hadlock Pond 2019. No bids were received by the deadline of November 9, 2018. The RFP was closed.

Distinct from the RFP, Aqualogic Inc., PO Box 182, Johnsburg, NY 12843, submitted a proposal for suction harvesting, November 12, 2018. Copies were distributed to the TBM's and the Attorney for the Town to review. Supervisor Moore will contact Aqualogic, Inc. to request them meet with the Town Board November 27, 2018 at 6:00 p.m.

5.4 Hadlock Pond Park Manager Position to be discussed at November 27, 2018 special town board meeting at the Fort Ann Town Hall at 6:00 p.m.

5.5 Mary Ward, distributed Feasibility Study Trail Fort Ann to Whitehall. She advised there is an Adhoc Trails Committee meeting at Washington County November 14, 2018 at 11:00 a.m.

**RESOLUTION #108-18
TO ADOPT THE 2019 BUDGET**

On motion of Councilman Hall, seconded by Councilwoman Stark to accept resolution entitled "Resolution to Adopt the 2019 budget."

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

RESOLVED, that the Town Board of the Town of Fort Ann adopts the 2019 budget.

**RESOLUTION #109-18
AUTHORIZING CONTRACT AND PAYMENT WITH PENFLEX, INC. FOR PURPOSE OF LOSAP PROGRAM
FOR WEST FORT ANN AND PILOT KNOB FIRE DISTRICTS**

On motion of Councilman Fletcher, seconded by Councilman Hall to accept resolution entitled "Resolution Authorizing contract and payment with Penflex, Inc. for purpose of LOSAP program for West Fort Ann and Pilot Knob Fire Districts."

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

RESOLVED, the Town Board hereby authorizes the Town Supervisor to accept and execute the necessary agreements on behalf of the Town of Fort Ann.

**RESOLUTION #110-18
APPROVE KINGSBURY BARNSTORMERS SNOWMOBILE'S CLUB LETTER REGARDING USE OF NIAGARA
MOHAWK'S PROPERTY**

On motion of Councilwoman Stark, seconded by Councilman Fletcher to accept resolution entitled "Resolution Approving Kingsbury Barnstormers Snowmobile's Club Letter Regarding Use of Niagara Mohawk's Property."

ADOPTED AYES 4 Fletcher, Hall, Stark, Moore

ABSENT 1 Witherell

RESOLVED, that the Town Board of the Town of Fort Ann has no objections for the Barnstormers Snowmobile Club the use of the proposed snowmobile trails that cross any Niagara Mohawk properties.

RESOLUTION #111-18

AGREEING TO THE TERMS OF NYSDOT REGARDING THE EMPIRE TRAIL IN THE TOWN OF FORT ANN

On motion of Councilman Hall, seconded by Councilwoman Stark to accept resolution entitled "Resolution Agreeing to the Terms of NYSDOT Regarding the Empire Trail in the Town of Fort Ann."

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

RESOLVED, that the Town of Fort Ann agrees to own and maintain the renovated portions of the Empire State Trail as described in the agreement that the Town Supervisor is authorize to sign.

RESOLUTION #112-18

APPROVING THE REQUEST FOR PROPOSAL FOR SUCTION HARVESTING HADLOCK POND 2019

WITHDRAWN no proposals were received by Friday, 11/9/18, deadline.

RESOLUTION #113-18

AUTHORIZING THE ADOPTION OF LOCAL LAW 3 OF 2018 ENTITLED: A LOCAL LAW AMENDING THE NUMBER OF PLANNING BOARD SEATS IN THE TOWN OF FORT ANN

TABLED until December 10, 2018 Town Board Meeting.

RESOLUTION #114-18

FOR IMPROVEMENTS TO GENE OUDERKIRK PARK

On motion of Councilman Fletcher, seconded by Councilwoman Stark to accept resolution entitled "Resolution for Improvements to Gene Ouderkirk Park."

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

RESOLVED, that the Town Supervisor is authorized to sign any and all agreements with the Canal Corp. to effectuate this resolution.

Open Public Discussion at 6:45 p.m. Tom Lumbis, 114 Hadlock Pond Rd., Fort Ann is currently staying in a 30' camper while he is building his retirement home. His current permit from the Town of Fort Ann expires this month. He asked the Fort Ann Town Board for another one (1) year extension to continue building at 114 Hadlock Pond Road. Supervisor Moore asked Mr. Lumbis how likely it is that he will be completed with this in a year and Mr. Lumbi said he will be done in a year. Motion was made by Supervisor Moore, seconded by Councilman Hall to grant this one (1) year extension of his permit to Mr. Lumbis. Motion was carried.

Dale Grinnell brought up his concern about not having smoke alarms and carbon monoxide detectors available for the residents of Fort Ann. Supervisor Moore suggested contacting Lowe's for donations of

these items. Supervisor Moore also suggested Mr. Grinnell to contact Kevin Lovely of the Fort Ann Fire Company.

Close Public Discussion at 7:54 p.m.

7:55 p.m. Supervisor Moore announced that executive session would be necessary for ongoing litigation and to discuss medical, financial, credit or employment history of a particular person/corp, or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion, or suspension. Motion was introduced by Councilman Hall, seconded by Councilwoman Stark to go into executive session.

Motion was carried.

8:38 p.m. Motion was introduced by Councilman Hall, seconded by Councilman Fletcher to return to regular session.

Motion was carried.

Motion was introduced by Councilman Hall, seconded by Councilwoman Stark to adjourn at 8:39 p.m.

Motion was carried.

Total Abstracts:	General:	\$ 32,506.61
	Highway:	\$218,617.80
	Hadlock Park District:	\$ 6,427.97
	Youth Commission	\$ 844.50

Respectfully submitted,

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

Dated: November 19, 2018