

MINUTES OF THE REGULAR TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON MONDAY, NOVEMBER 14, 2016 AT 7:00 P.M. AT THE FORT ANN FIRE HOUSE, ROUTE 149, FORT ANN

PRESENT: Supervisor Richard Moore
Councilman Dennis Fletcher
Councilwoman Gretchen Stark
Councilman Floyd Varney
Councilwoman Deborah Witherell

OTHERS PRESENT: Helen Denno, Confidential Secretary to the Supervisor/Bookkeeper, Barbara Winchell, Town Clerk, Paul Winchell, Highway Superintendent, Jeff Meyer, Town Attorney, Mark Miller, Enforcement Officer, Todd Humiston, Dog Control Officer, Deb Foote, Carol Smith, Pat Monahan, Joan Degener, Tracy Monahan, Dan Monahan, Reggie Wright, Don Ballard, Don Sexton, Penny Gould, Bill Bailey, Bob Cutter, Mitch Beck, Joe Terrio, Floyd Ladd, Don Siano, Dale Grinnell, James Black, LeRoy Harrison, Pamela White, John Bruhns, Alice Bruhns, Christine Milligan, Arlene Green, Barbara Eagle Claire Greene, Gene Connell, Bill Knapp, Richard Parrott, Dick Parrott, Rebecca Cottone, Marty Burdick, Nancy Burdick, Karen Campbell, David Campbell, Georgia VanGuilder, Joe Loszynski, Don Pierce, Dave DeLor

Meeting was called to order at 7:00 p.m. with the Pledge of Allegiance to the Flag.

Supervisor Moore announced that today, November 14th, is designated Virginia Parrott Day in the Town of Fort Ann. Mrs. Parrott was presented with flowers and a plaque recognizing her years as Town Historian from 1972 to present; Tax Collector from 1982 – 2005; and Registrar of Vital Statistics and Records from 1983 to present.

On motion of Councilwoman Witherell, seconded by Councilman Varney to accept tonight’s agenda.

Motion was carried.

On motion of Councilman Fletcher, seconded by Councilwoman Stark to accept the Regular Town Board Minutes of October 11, 2016.

Motion was carried.

On motion of Councilwoman Witherell, seconded by Councilman Fletcher to accept the Budget Workshop minutes from October 17, 2016.

Motion was carried.

Supervisor Moore read the following from the October 2016 monthly financial statement:

Receipts for the month General Fund	\$ 24,094.02
Hadlock Park District Fund	\$ 10,410.30
Highway Fund	\$ 59,186.92
Disbursements General Fund	\$ 29,141.50
Disbursements Highway	\$ 51,466.00

Checkbook Balances

General Fund	\$ 42,757.44
Highway Fund	\$ 41,907.35
Youth Commission	\$ 1,843.28
Hadlock Dam Project	\$ 239.76
Hadlock Park District Fund	\$ 7,116.12
Consolidated Health District	\$ 217.05
Trust & Agency Fund	\$ 332.37
Medical Reimbursement Fund	\$ 100.00

Savings Accounts

General Fund	\$656,211.77
Hadlock Park District	\$ 59,696.40
Highway Fund	\$276,598.41
LOSAP	\$ 21,360.03

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

Motion was carried.

Supervisor’s comments were given for November 2016. Supervisor Moore wanted to update everyone on Brown Cemetery aka West Fort Ann Cemetery. He stated it is important for people to know that the Town doesn’t own the cemetery. The problem is that there is no deed filed at Washington County Real Property Department. If anyone believes that Moose Hillock is on their property they must contact Moose Hillock. Supervisor Moore confirmed with Mr. Nims that he only opens and closes the graves. Mr. Nims doesn’t have any paperwork for the cemetery and doesn’t know of anyone who does. Supervisor Moore, Town Attorney Meyer, Ed Paradis and his attorney met regarding the concerns of the people about moving of the fence at the cemetery. In 1988 Clara West sold surrounding property to Richland Acres. The conveyance of that sale clearly stated it excepted the West Fort Ann Cemetery ownership of cemetery which means the cemetery still belonged to Clara and she kept selling plots until her passing in 1994 and then her son, Gerald, continued to sell plots. There was a survey done by Coulter and McCormack and boundaries were set in 1988. Prior to Clara’s passing, Surveyor, Matt Steves, had advised Clara West and Richland Acres, in writing, to formerly establish boundaries but it appears that never took place. The Town has two (2) bill of sales in its possession that says adjoining which leads you to believe there must have been some sort of ledger being kept. Supervisor Moore asked if anyone has bill of sales to please send them to him at the Town Hall and he will diligently keep working on this. Supervisor Moore mentioned trying to develop the family tree of Clara West.

Supervisor Moore went on to discuss the 10/20/16 NOVUS noise study at the ADK MX in which some readings were below and some readings were above 6 decibels and ambient sounds change moment to moment. He stated it is going to be a challenge to manage this and asked how will this be managed going forward and have it be realistic.

There was nothing prohibiting Supervisor Moore from approving Jeremy Treadway from having AMA testing to certify his track on the 22nd or 29th of October. Mr. Treadway had advised that the hours would be 11:00 a.m. – 3:00 p.m. with 50 bikes but then Supervisor Moore received a phone call that stated Mr. Treadway’s website showed hours of 10:00 a.m. – 5:00 p.m. and charging riders. So then

Supervisor Moore told Mr. Treadway he couldn't do that because it would make it look like a normal operation day and the season had ended. Mr. Treadway stated he would donate some money to the West Fort Ann Fire Company and some to AMA but Supervisor Moore advised him he couldn't because AMA doesn't have a permit to do business in the Town of Fort Ann. Needless to say the AMA testing did not occur because of weather conditions the 22nd or the 29th of October.

Kevin Froats, Fort Ann Central School Superintendent, contacted Supervisor Moore to advise that the school decided not to use the land behind the Fort Ann Highway garage for solar purposes. It wasn't cost effective at this time.

The Washington County expansion of Broadband will not happen as quickly as hoped. Six (6) counties were identified as Year 1 and Washington County was not one (1) of the six (6).

There were two (2) propositions on the ballot November 8th and both passed to increase the Town Clerk and Highway Superintendent terms from two (2) to four (4) years.

Councilwoman Stark has been working with Marge Mohn and the Whitehall/Fort Ann Trail Committee. They were able to secure a \$10,000.00 grant to do the study for the bike trail between Fort Ann and Whitehall.

All documents regarding Battle Hill are due November 30, 2016 to the Civil War Trust. We should find out by the end of December if the closing will take place May 1, 2017.

HEAP assistance information will be on the Town of Fort Ann website.

Supervisor Moore has been asked and will serve on the Washington County Board of Directors for EOC.

On November 17, 2016 @ 6:00 p.m. there will be a Noise Ordinance Workshop at the Town Hall.

On December 8, 2016 @ 6:00 p.m. there will be a Hadlock Dam Table Top exercise at the Town Hall that will include representatives from the West Fort Ann Fire Company, Fort Ann Rescue and Washington County Public Safety.

Councilwoman Stark stated there will be a presentation at the December 12, 2016 Board meeting regarding the bike trail from Fort Ann to Whitehall.

Councilwoman Stark stated two (2) bids have been received for the Kayak Launch: one (1) for \$9,300.00 and one (1) for \$9,063.00. She reviewed these bids with the Town Engineer, Tom Jarrett, and they would like to go ahead and order the \$9,063.00 bid. Motion was made by Councilman Fletcher and seconded by Councilman Varney to order the \$9,063.00 from Florida but there had to be a distinct understanding that we are going to buy but can't give them money until we have the permits in hand and the bill of sale has to be received by 12/31/16 to meet the grant requirements. Motion was carried.

Councilwoman Stark advised that new ropes have been ordered for Pilot Knob beach.

Councilwoman Stark stated she attends Office for the Aging meetings in Washington County. The various programs/activities are posted on the Town Hall bulletin board.

Enforcement Officer Report was given for October 2016.

Historian: Virginia Parrott stated she has never been able to find a deed for Brown Cemetery but believes there is a woman in West Glens Falls that may have a deed/bill of sale dated back to 1901 that was signed by Alonzo Brown. This deed would be next to Virginia's grandmother (2nd lot in from fence).

A 1976 Historic Survey lists the Brown Cemetery as being owned by Clara West. Virginia knows that all three (3) of Clara's children are deceased.

Joe Loszynski, Lake Hadlock Project Manager, did not submit a monthly progress report because there's very little going on.

Public comment was opened at 7:40 p.m. with Joe Loszynski referring to the 2017 budget and advising the board that he made some cuts to his original proposal for Mechanical Harvesting from 35 days to 30 days and reduce hand harvesting from 30 days to 28 days in order to compensate for the \$20,000.00 Park District salary. His recommendations stay below the tax cap and there wouldn't be an increase in taxes.

Public comment closed at 7:45 p.m.

New Business: Supervisor Moore brought up that in 2007 the Fort Ann Town Board passed Resolution #42. This is a Right to Farm Law. In this resolution there were a couple of items that were not finalized and need to be finalized at the December meeting. The first is a letter to the Southern Adirondack realtors that would have an attachment of the right to farm law that they would give to perspective sellers/buyers. Second there has to be a five (5) member committee to handle disputes. Supervisor Moore is asking the Town Board for recommendations. He would like to recommend Larry Bailey, Fort Ann resident. Pam White, Fort Ann resident, volunteered to be a member. Three (3) of the five (5) members have to be Fort Ann residents. Supervisor Moore will generate and distribute a notification to the Southern Adirondack realtors.

RESOLUTION #135-16

TO ADOPT THE 2017 BUDGET

On motion of Councilwoman Stark, seconded by Councilman Varney, to accept resolution entitled "Resolution to adopt the 2017 budget."

ADOPTED AYES 5 Fletcher, Stark, Varney, Witherell, Moore

RESOLVED, that the Town Board of the Town of Fort Ann adopts the 2017 budget.

RESOLUTION #136-16

APPROVE THE REQUEST FOR PROPOSAL FOR CANAL PARK KAYAK LAUNCH

On motion of Councilman Fletcher, seconded by Councilwoman Stark, to accept resolution entitled "Resolution Approving the Request for Proposal for Canal Park Kayak Launch."

ADOPTED AYES 5 Fletcher, Stark, Varney, Witherell, Moore

RESOLVED, that the Town Board of the Town of Fort Ann authorizes the Supervisor to execute the contract in accordance with this resolution, conditioned upon examination of Jarrett Engineers, PLLC, 12

East Washington St., Glens Falls, NY 12801; based on the need for obtaining the necessary permits and conditioned upon final attorney approval.

RESOLUTION #137-16

APPROVING 2016 BUDGET MODIFICATIONS TO COVER DEFICITS IN APPROPRIATION ACCOUNTS

On motion of Councilwoman Witherell, seconded by Councilman Varney, to accept resolution entitled “Resolution Approving Budget Modifications to cover deficits in appropriation accounts.”

ADOPTED AYES 5 Fletcher, Stark, Varney, Witherell, Moore

RESOLVED, that the 2016 budget shall be amended by transferring funds between appropriations.

RESOLUTION #138-16

APPROVE 100% INSURABLE REPLACEMENT COST-TOWN HALL, HIGHWAY GARAGE, OLD STONE HOUSE LIBRARY AND PAVILION

On motion of Councilman Fletcher, seconded by Councilwoman Witherell, to accept resolution entitled “Resolution Approving 100% Insurable Replacement Cost – Town Hall, Highway Garage, Old Stone House Library and Pavilion.”

ADOPTED AYES 5 Fletcher, Stark, Varney, Witherell, Moore

RESOLVED, that the Town Board of the Town of Fort Ann approves the 100% Insurable Replacement Cost – Town Hall, Highway Garage, Old Stone House Library and Pavilion received from Cool Insuring Agency.

RESOLUTION #139-16

AUTHORIZING SUPERVISOR TO SIGN ABPP AGREEMENT TO PURCHASE BIG BOY CONSTRUCTION PROPERTY-BATTLE HILL

On motion of Councilman Varney, seconded by Councilwoman Witherell to accept resolution entitled “Resolution Authorizing Supervisor to Sign ABPP Agreement to Purchase Big Boy Construction Property – Battle Hill.”

ADOPTED AYES 5 Fletcher, Stark, Varney, Witherell, Moore

RESOLVED, that the Town Board of the Town of Fort Ann authorizes Supervisor Moore to sign ABPP agreement to Purchase Big Boy Construction Property – Battle Hill.

RESOLUTION #140-16

AUTHORIZING THE ACCEPTANCE OF THE PROPOSALS FOR BAT REMOVAL FROM OLD STONE HOUSE LIBRARY

On motion of Councilwoman Witherell, seconded by Councilman Varney to accept resolution entitled “Resolution Authorizing the Acceptance of the Proposals for Bat Removal From Old Stone House Library.”

ADOPTED AYES 5 Fletcher, Stark, Varney, Witherell, Moore

RESOLVED, that the Town Board of the Town of Fort Ann hereby approve the proposal as submitted by Adirondack Nuisance Wildlife & Pest Control Specialist, 551 Dean Rd., Hudson Falls, NY 12839 in the amount of \$4,000.00

8:31 p.m. open public discussion

Don Ballard spoke about not having volunteers for the Rescue Squad.

Christine Milligan asked if the Rescue Squad could be a tax district like the fire companies.

Floyd Ladd stated Mr. Paradis should be able to produce survey.

Mr. Harrison asked the Town Attorney if he represents the Town and Moose Hillock.

Mr. Harrison asked Supervisor Moore if there was a conflict of interest because of family members working at Moose Hillock.

Mr. Harrison asked if Empire and/or Mohawk could use the Fort Ann Rescue Squad building.

Christine Milligan advised the Town Attorney that she has 1500 pages of NYS Cemetery Law. Supervisor Moore asked her to drop that off to him at the Town Hall.

Joan Degener stated that her family is getting ready to use the Brown Cemetery and are very concerned about getting people in there that use canes, wheelchairs, walkers.

Mr. Pierce stated districts have been determined for the Right to Farm.

Mr. John Bruhns was sent to the Town Board through the Planning Board to request an exception for property he has on Rte 149. Motion was made by Councilman Varney and seconded by Councilwoman Witherell to allow this exception. Motion was carried. Mr. Bruhns will go back to the Planning Board November 28, 2016 with his subdivision proposal.

8:54p.m. closed public discussion

8:55 p.m. Motion was introduced by Councilwoman Witherell , seconded by Councilman Varney to adjourn.

Motion was carried.

Total Abstracts:	General:	\$25,968.24
	Highway:	\$51,244.31
	Hadlock Park District:	\$ 2,761.12

Respectfully submitted,

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

Dated: November 23, 2016