

MINUTES OF THE REGULAR TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON MONDAY, FEBRUARY 14, 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

ABSENT: Paul Winchell, Highway Superintendent
Mark Miller, Enforcement Officer
Christine Milligan, Historian

OTHERS PRESENT: Barbara Winchell, Town Clerk, Jeffrey Meyer, Attorney for the Town, Chad Wilson, Michelle Vara, Barbara Burch, Duane Burch, Joan Degener, Jeff Pepper, Bill Bailey, Penny Gould, Katelyn Moskos, John Moskos

Meeting was called to order at 6:00 p.m. with the Pledge of Allegiance to the Flag.

Moment of silence was held for Fort Ann residents William F. Walker, Sr., Florence “Ann” (Meneely) Coltey and Richard Parrott.

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

Motion was carried unanimously.

Motion was introduced by Councilwoman Witherell, seconded by Councilwoman Stark to accept the Regular Town Board Minutes of January 10, 2022.

Motion was carried unanimously.

Motion was introduced by Councilwoman Witherell, seconded by Councilman Sexton to accept the Annual Audit Meeting Minutes from January 20, 2022.

Motion was carried unanimously.

Supervisor Hall read the December 2021 monthly financial statement.

Checking Account Balances

General Fund	\$ 95,287.93
Highway Fund	\$ 125,470.16
Youth Commission	\$ 3,977.43
Hadlock Dam Project	\$ 240.09
Hadlock Park District Fund	\$ 13,533.69
Consolidated Health District	\$ 370.48
Trust & Agency Fund	\$ 3,792.22
Medical Reimbursement Fund	\$ 3,068.65

Savings Accounts

NYCLASS - General Fund	\$ 498,381.65
NYCLASS - Highway Fund	\$ 2,588.01
NYCLASS – Hadlock Park District Fund	\$ 98,755.80
LOSAP	\$.52

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

Motion was carried unanimously.

Public Comment opened at 6:02 p.m. for agenda items.

Public Comment closed at 6:03 p.m. with no comments.

Supervisor’s Report: Supervisor Hall has been working with the library on furnace issues.

Supervisor Hall has been working with the Town of Fort Ann Highway Superintendent since he’s gotten reports of damage to mailboxes. He said this is not isolated to town roads this is also with county roads and state plowed roads.

Supervisor Hall stated the state had to cancel the Flood Plan meeting that was scheduled for January 31st and still working on rescheduling a date. It has turned out to be much more complex than originally thought and that maybe smaller towns might be able to comply but very difficult for larger towns.

Councilwoman Stark spoke of complaint that she received about ice fishermen parking at the beach and snowplows not being able to get through. Police were called and vehicles were towed.

Councilwoman Stark stated the Canal Group met and there are grants available through Glens Falls Hospital. She met with the recreation committee and there are ideas for safety in town such as sidewalks and crosswalks. She will meet with the gentleman again next week and get substantial ideas down as far as safety in the town.

Councilwoman Stark stated there is a Lifeguard class coming up during the February 21st – 25th school break through Washington County Youth Bureau. Information has been posted on Town Hall, Glens Falls National Bank and Fort Ann Post Office bulletin boards.

Town Clerk’s Report was given for January 2022. The phone system has changed at the Town Hall and Highway Department. Still working on auto attendant. The website has been updated with new phone numbers and extensions.

Highway Superintendent Report: Not present

Enforcement Officer Report: Not present but a paper copy of his report was given to the town board members for January 2022.

Historian: Not present but Supervisor Hall reported out that when Virginia Parrott was Town Historian she retained historical records at her home and now that her husband has passed arrangements are

underway to remove boxes and boxes of those historical records from their home and back in the hands of the town for retention and research purposes.

Old Business: Supervisor Hall stated that some movement has taken place on “A Local Law Regulating Short-Term Rentals in the Town of Fort Ann” and “A Local Law Amending the Town of Fort Ann Site Plan Review.” Supervisor Hall stated several other communities are facing these same issues such as Lake Placid, Bolton Landing and Queensbury. Supervisor Hall wanted to remind people that the two (2) items listed under old business are just DRAFT copies. A plan in progress for people to look at and make comments and recommendations.

Supervisor Hall asked if anyone had any questions or wanted to speak.

Katelyn Moskos asked Supervisor Hall if he knew how many short-term rentals are in the Town of Fort Ann. Supervisor Hall said he didn't. Katelyn asked if it was fair for him to say in his interview that 90% of complaints are about Northern Living. She said she has asked to see these complaints and hasn't been given any. Supervisor Hall said people didn't put complaints in writing. John Moskos said he did attend a town board meeting when there was a property brought up about gun shots being fired on Clay Hill Road. Moskos do not own property on Clay Hill Road. Katelyn wants to be notified immediately of complaints regarding Northern Living properties. Katelyn said she's a part of this community and contributes to the community.

Kate and John Moskos left meeting.

Chad Wilson asked about FOIL'ing information and how many official complaints would he get? Chad said the town should ask to have complaints in writing. Chad said from an audience standpoint this looks one sided. He added usually there are more than two (2) sides to every story.

Jeff Pepper said to give him six (6) or seven (7) days to put his documentation together. He wants to see some serious regulations because it's only going to get worse year after year. Jeff Pepper said he's 15' from a short-term rental and he did contact Katelyn Moskos to let her know that his dog had been attacked by one of the renter's dogs and things did get heated between the two (2) of them and she called him a liar. A Warren County Sheriff showed up at his house and he told him his side of what happened and was told to contact the Fort Ann Town Board about this.

Supervisor Hall told Mr. Wilson that the town has to have something in place to know how many short-term rentals are in town.

Bill Bailey said his property is right between two (2) rentals and there has to be a local law in order to enforce. Mr. Bailey said he and Penny Gould were one of the first two people to bring issues forth. Mr. Bailey understands it's difficult to handle/resolve complaints when there's no local law that can be referred to that violation(s) have occurred for enforcement.

Mr. Wilson said from a planning board standpoint he would estimate 80% of the businesses that came before the Fort Ann Planning Board are not doing what they originally said they were going to do. Mr. Wilson said we don't need more rules when we aren't enforcing what we have.

Mr. Bailey stated the bottom of the lake is owned by the town but New York State owns and regulates the water. There is no public access it is privately owned.

Councilwoman Stark said people that the people that live on the lake have that have brought concerns to her are about safety.

Michelle Vara asked what the Lake Hadlock Association does.

Councilman Smith said the LHA is an association that was formed for the wellness of the lake and wellness of the water. It is an advisory council more than anything else – they have no authority

New Business: Open the one (1) RFP for AUD that was due February 10, 2022 by 3:00 p.m.

Sean Hucko, CPA, LLC, 1851 Stone Rd., Ste 102 Rochester, New York 14615

Motion was made by Councilman Sexton, seconded by Councilman Smith to accept the bid received from Sean Hucko, CPA, LLC.

Motion was carried unanimously by roll call vote.

RESOLUTION #38-2022

AUTHORIZING TOWN OF FORT ANN TOWN SUPERVISOR TO ENTER INTO AN AGREEMENT FOR TOWN DOG CONTROL SHELTER SERVICES PURSUANT TO NEW YORK STATE AGRICULTURAL AND MARKETS LAW ARTICLE 7 FOR THE YEAR 2022

On motion of Councilwoman Witherell, seconded by Councilwoman Stark to accept resolution entitled “Resolution Authorizing Town of Fort Ann Town Supervisor to Enter into an Agreement for Town Dog Control Shelter Services Pursuant to New York State Agricultural and Markets Law Article 7 for the year 2022.”

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 into the agreement with Lisa Barbato, upon final attorney approval.

RESOLUTION #39-2022

ADOPTING THE AUDITING OF THE FINANCIAL RECORDS OF THE TOWN OF FORT ANN

On motion of Councilwoman Stark, seconded by Councilman Smith to accept resolution entitled “Resolution Adopting the Auditing of the Financial Records of the Town of Fort Ann.”

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

RESOLVED, that the Town Board of the Town of Fort Ann has audited the financial records of the Town Clerk, Tax Collector, Town Justice and Supervisor for the fiscal year January 1, 2021 through December 31, 2021 at a special meeting held on January 20, 2022.

RESOLUTION #40-2022

AUTHORIZING THE TOWN OF FORT ANN TO NEGOTIATE A TWO YEAR AGREEMENT WITH WASHINGTON COUNTY FOR APPRAISAL SERVICES, EXEMPTION SERVICES AND ASSESSMENT SERVICES

On motion of Councilman Sexton, seconded by Councilwoman Witherell to accept resolution entitled

“Resolution Authorizing the Town of Fort Ann to Negotiate a two-year agreement with Washington County for Appraisal Services, Exemption Services and Assessment Services.”

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

RESOLVED, the Supervisor is hereby authorized to enter into an Intermunicipal Agreement on behalf of the Town of Fort Ann, subject to final attorney approval.

RESOLUTION #41-2022

EXTENSION OF SENIOR AND INDIVIDUAL WITH DISABILITIES AND LIMITED INCOME EXEMPTION (OPT-IN)

On motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled “Extension of Senior and Individual with Disabilities and Limited Income Exemption (Opt-In).”

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

RESOLVED, that the assessor shall extend the 2021 exemption status for those individuals receiving the senior exemption and those persons with disabilities and limited income exemptions through 2022 without the requirement of a renewal application subject to an exception that the assessor may require a renewal application if he or she believes that an owner of real property that had previously qualified for the 2021 exemption has since changed their primary residence, added another owner to the deed, transferred the property to a new owner or the owner had dies.

RESOLUTION #42-2022

TO ACCEPT THE PROPOSAL FROM QUALIFIED CERTIFIED PUBLIC ACCOUNTANTS

On motion of Councilman Smith, seconded by Councilwoman Witherell to accept resolution entitled “To Accept the Proposal from Qualified Certified Public Accountants.”

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

RESOLVED, the Town Board authorizes Supervisor Hall to execute any and all necessary documentation relative to assisting with the preparation of the AUD and related accounting services.

RESOLUTION #43-2022

RESOLUTION APPROVING OF A REVISED HEALTH INSURANCE POLICY FOR RETIRED FORMER EMPLOYEES OF THE HIGHWAY DEPARTMENT OF THE TOWN OF FORT ANN

On motion of Councilwoman Witherell, seconded by Councilwoman Stark to accept resolution entitled “Resolution approving of a Revised Health Insurance Policy for Retired Former Employees of the Highway Department of the Town of Fort Ann.”

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

RESOLVED, he Town of Fort Ann Shall pay for an individual’s premium for the health insurance coverage that is then being offered to the Town of Fort Ann Highway Department employees, as it may vary from time to time, so long as the retired employee is at least 55 years of age at the time he or she retires from the Town of Fort Ann Highway Department for a minimum of twenty-five (25) years of service with the Town of Fort Ann. The payment by the Town of Fort Ann of said premiums shall cease at the time the retired employee becomes eligible for Medicare. This policy shall not apply to spouses, domestic

partners or family members of the retired employee and the Town shall not have any obligation to pay for any portion of the premium of insurance coverage relating to a retired employee's spouse, domestic partner and/or family member. The Town Board hereby repeals Resolution No. 61 of 2011, adopted on October 11, 2011 in its entirety.

RESOLUTION #44-2022

TO POST TOWN ROADS TO 8 TONS

On motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled "Resolution to Post Town Roads to 8 Tons."

ADOPTED AYES 5 Sexton, Smith Stark, Witherell, Hall

RESOLVED, the Superintendent of Highways for the Town of Fort Ann is hereby authorized to post signs on all Town Highways and publish notice of the same.

7:07 p.m. **Open Public Discussion**

7:08 p.m. **Closed Public Discussion**

7:09 p.m. motion was introduced by Councilman Smith, seconded by Councilman Sexton to adjourn.

Motion was carried unanimously.

Total Abstracts:	General:	\$ 14,793.73
	Highway:	\$ 56,988.56

Respectfully submitted,

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

Dated: February 25, 2022