# MINUTES OF THE REGULAR TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON MONDAY, MARCH 11, 2019 AT 6:00 P.M. AT THE FORT ANN FIREHOUSE

**PRESENT:** Supervisor Richard Moore

Councilman Dennis Fletcher Councilwoman Gretchen Stark Councilwoman Deborah Witherell

Councilman Samuel Hall

**OTHERS PRESENT**: Barbara Winchell, Town Clerk, Helen Denno, Confidential Secretary to the Supervisor/Bookkeeper, Paul Highway Superintendent, Jeff Meyer, Attorney for the Town, Mark Miller, Todd Humiston, Penny Gould, Bill Bailey, Chad Wilson, Michelle Vara, Barbara Eagle, Dale Grinnell

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 Carroll S. Frost, Jillian M. King, David J. LaPan, and Robert 'Bob' Scherer.

On motion of Councilman Fletcher, seconded by Councilwoman Witherell 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 February 11, 2019.

Motion was carried unanimously.

Motion was introduced by Councilman Hall, seconded by Councilwoman Stark to accept the Special Meeting Minutes from February 28, 2019.

Motion was carried unanimously.

Motion was introduced by Councilman Fletcher, seconded by Councilman Hall to accept the Special Meeting Minutes from March 4, 2019.

Motion was carried unanimously.

Supervisor Moore read the February 2019 monthly financial statement.

### Receipts for the month of February

General Fund \$ 20,620.97

Disbursements

General Fund \$ 406,549.90 Highway \$ 80,097.91

**Checking Account Balances** 

General Fund \$ 261,047.00 Highway Fund \$ 24,312.50

Youth Commission	\$ 1,149.75
Hadlock Dam Project	\$ 240.04
Hadlock Park District Fund	\$ 384.51
Consolidated Health District	\$ 1,016.21
Trust & Agency Fund	\$ 775.55
Medical Reimbursement Fund	\$ 2,369.19

#### **Savings Accounts**

NYCLASS – General Fund	\$ 551,038.50
NYCLASS – Highway Fund	\$1,102,106.76
LOSAP	\$ 15,213.48
Hadlock Park District	\$ 276,305.07

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

Motion was carried unanimously.

Supervisor Moore stated the 4<sup>th</sup> Quarter Actual to Budget figures were released and asked if any of the Town Board Member's had any comments/concerns. There were no comments/concerns from the Town Board Member's.

**6:04 p.m. Public Hearing opened** regarding the adoption of Local Law No. 1 of 2019, A Local Law Repealing the Dog Control Local Law of the Town of Fort Ann.

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

**6:05 p.m. Public Hearing opened** regarding the adoption of Local Law No. 2 of 2019 Entitled: A Local Law Setting Forth the Dog Control Regulations in the Town of Fort Ann.

6:06 p.m. Public Hearing closed without comment.

**Supervisor's Report**: Supervisor Moore received a Certificate of Completion from Potential Management Group (PMG) for the LED lights at the Town Hall, Highway Garage and street lights.

Supervisor Moore received correspondence from DEC to make the public aware of contamination at Katzman recycling site and clean up in Granville. The public can make their comments directly to the DEC regarding the Katzman recycling clean up in Granville until March 28, 2019. There will be a public meeting at the Granville Town Hall on March 21, 2019.

Supervisor Moore stated there will be a public hearing at Washington County on March 15, 2019 at 10:05 a.m. regarding parcels requesting inclusion certified agricultural district. The Granville parcel is 2.7 acres and the Whitehall parcel 7.2 acres.

Supervisor Moore stated that the Washington County Public Safety Department has a free mobile app available to the public to download. This would provide emergency notifications, weather alerts, preparedness and outages. Anyone looking for information should see the Town Clerk.

Supervisor Moore, Councilwoman Stark and Mark Miller attended workshops at Washington County on March 6, 2019 regarding Flood Risk Project in Washington County. This project will last several years. This will make more data available to towns and make sure that people that are in risk areas are and made aware of the risk.

The Town of Fort Ann annual financial report has been filed with the Comptroller's Office. A copy is in the Town Clerk's Office for the year ending December 31, 2018.

Supervisor Moore stated there will be mandatory sexual harassment training on Thursday, April 18, 2019 at 10:00 a.m. at the Fort Ann fire house. This training is for anyone receiving compensation from the Town of Fort Ann.

Supervisor Moore received the contract along with the necessary insurance certificates from Dominic Jude of Aqualogic for suction harvesting. Supervisor Moore wanted to make the Town Board aware that the certificate of liability insurance currently expires 5/23/19. Supervisor Moore asked the Town Board if they were comfortable with signing the contract and they were.

Supervisor Moore and the Highway Superintendent met with Randy at Northern Trucking regarding the Harvester a couple of weeks ago. Last summer the valve box was removed and cracked. The valve box that came back was larger than what was sent out. The hydraulic pump needs to get replaced. If the pump is changed and get new spools the Harvester should be ok. The \$2,600.00 price for the hydraulic pump doesn't include shipping or labor. Randy is in the process of contacting a company in Canada and Supervisor Moore hopes to hear from him by the end of the week so decision can be made. Supervisor Moore is of the opinion you just can't rely on suction harvesting. Supervisor Moore doesn't have all the information tonight but we have to get the Harvester on Hadlock. It may cost \$10,000.00 to get the Harvester operational.

Supervisor Moore would like to go out for bid to improve the Bookkeeper/Planning Board Secretary Office. Where there is currently a door would be a wall and the door would be across from the Town Clerk's door so to allow the office to be rearranged and maximize the space. The Bookkeeper will be training someone later this year to prepare for her departure March of 2020. All Town Board Member's agreed to go out for bid.

**Councilwoman Stark:** Councilwoman Stark stated that the Washington County Office for the Aging will be at the Old Stone House Library at noon on March 12<sup>th</sup> with lunch only being \$3.00. The topic will be Parkinson's Disease and Occupational Therapy. Reservations need to be made at least one day in advance.

Councilwoman Stark stated that there is a Canalway Challenge event posted on the Town Hall bulletin board. Councilwoman Stark stated that she and Councilman Hall are looking for pictures for historical landmarks of Fort Ann to be placed on a panel for this event if anyone has any please contact Councilman Hall and/or Councilwoman Stark. One side of the panel will be Fort Ann and the other side will be the western part of New York State. This would be put at a trailhead in Fort ann

Councilwoman Stark state there is a summer expo in Saratoga this weekend Saturday 10:00 a.m. – 5:00 p.m. and Sunday 10:00 a.m. – 4:00 p.m. – no charge.

Councilwoman Stark stated the Pilot Knob Beach will open Father's Day weekend. The summer recreation program will start July 1<sup>st</sup>.

**Councilman Hall:** Councilman Hall stated that Grumbellies has offered to organize and coordinate the July 6<sup>th</sup> parade which will start at the Fort Ann Central School and commencing at the park. They are looking for floats.

Councilman Hall had his first meeting with reenactors. They will meet again March 24<sup>th</sup>.

Councilman Hall stated that they are holding off on the memorial service until progress as been made on Battle Hill. He is still in contact with Kathy Robertson with the Civil War Trust. They are waiting for the budget to pass. Councilman Hall has a meeting in April with The LA Group.

Town Clerk's Report was given for February 2019.

**Highway Superintendent Report:** The Highway Superintendent said his department has been busy with snow/ice removal. They will start posting roads Wednesday for 8 ton limit. Will be announcing in The Post Star that Shelving Rock will close starting Thursday, March 14, 2019 due to mud season.

**Enforcement Officer Report** paper copy of report was given to Town Board Member's for February 2019.

**Historian:** Town Historian, Christine Milligan was not present but Dale Grinnell gave an update on the painting of the historical signs in the Town of Fort Ann. He will be working with an Eagle Scout to get this accomplished.

**Dog Control Officer:** paper copy of report given to Town Board Member's. Todd stated that April 8 – April 12<sup>th</sup> is dog bit prevention week. Todd stated that the annual dog inspection review is March 12<sup>th</sup>.

The Highway Superintendent would like to go out for bid on a new chipper. Supervisor Moore will check with the Town of Argyle Supervisor about National Joint Power Alliance.

#### **RESOLUTION #51-19**

### ACCEPT BID FOR THE REPLACEMENT OF HOGTOWN CULVERT

On motion of Councilman Hall, seconded by Councilwoman Witherell to accept resolution entitled "Resolution Accepting Bid for the Replacement of Hogtown Culvert."

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

**RESOLVED**, that the Fort Ann Town Board accepts the bid in the amount of \$303,000.00 from James H. Maloy, Inc., PO Box 1016, Loudonville, NY 12211. The final award of the bid will be in coordination with, and is subject to, the approval of the NYS Department of Transportation in accordance with the Culvert NY Program under PIN 1760.76. Construction will be in strict conformance with all NYSDOT and Federal Aid Requirements and in the event the NYSDOT does not approve the same the Town of Fort Ann reserves the right to reject said bid.

#### **RESOLUTION #52-19**

### TO MODIFY THE 2018 BUDGET BY TRANSFERRING FUNDS BETWEEN APPROPRIATIONS TO COVER EXCESS EXPENDITURES

On motion of Councilman Fletcher, seconded by Councilwoman Stark to accept resolution entitled "Resolution to Modify the 2019 budget by transferring funds between appropriations to cover excess expenditures."

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

**RESOLVED**, the 2018 budget shall be amended by transferring funds between appropriations.

#### **RESOLUTION #53-19**

## TO MODIFY THE 2018 BUDGET BY APPROPRIATING MONIES RECEIVED AS STATE AID FROM THE NYS CHIPS PROGRAM TO BE USED FOR IMPROVEMENTS TO TOWN HIGHWAYS IN THE 2018 FISCAL YEAR

On motion of Councilman Hall, seconded by Councilman Fletcher to accept resolution entitled "Resolution to Modify the 2019 budget by appropriating monies received as state aid from the NYS CHIPS Program to be used for improvements to Town Highways in the 2018 Fiscal Year."

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

**RESOLVED**, the 2018 budget shall be amended by appropriating funds.

#### **RESOLUTION #54-19**

# TO MODIFY THE 2018 BUDGET BY APPROPRIATING GRANT REVENUE TO COVER ENGINEERING EXPENDITURES FOR THE BATTLE HILL MASTER PLAN AND TO COVER EXCESS EXPENDITURES IN THE SPECIAL RECREATIONAL FACILITIES ACCOUNT

On motion of Councilwoman Stark, seconded by Councilwoman Witherell to accept resolution entitled "Resolution to Modify the 2018 budget by appropriating grant revenue to cover engineering expenditures for the Battle Hill Master Plan and to cover excess expenditures in the Special Recreational Facilities Account."

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

**RESOLVED**, the 2018 budget shall be amended by appropriating funds.

#### **RESOLUTION #55-19**

### TO MODIFY THE 2018 BUDGET BY TRANSFERRING FUNDS BETWEEN APPROPRIATIONS TO COVER EXCESS EXPENDITURES

On motion of Councilwoman Witherell, seconded by Councilman Fletcher to accept resolution entitled "Resolution to Modify the 2018 budget by transferring funds between appropriations to cover excess expenditures."

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

**RESOLVED**, the 2018 budget shall be amended by transferring funds between appropriations.

#### **RESOLUTION #56-19**

TO MODIFY THE 2018 BUDGET BY TRANSFERRING FUNDS BETWEEN APPROPRIATIONS TO COVER EXCESS EXPENDITURES

On motion of Councilwoman Witherell, seconded by Councilman Hall to accept resolution entitled "Resolution to Modify the 2018 Budget by transferring funds between appropriations to cover excess expenditures."

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

**RESOLVED**, the 2018 budget shall be amended by transferring funds between appropriations.

#### **RESOLUTION #57-19**

### AUTHORIZING THE ADOPTION OF LOCAL LAW NO. 1 OF 2019, A LOCAL LAW REPEALING THE DOG CONTROL LOCAL LAW OF THE TOWN OF FORT ANN

On motion of Councilman Hall, seconded by Councilman Fletcher to accept resolution entitled "Resolution Authorizing the Adoption of Local Law No. 1 of 2019, A Local Law Repealing the Dog Control Local Law of the Town of Fort Ann."

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

**RESOLVED,** pursuant to and in accordance with the Municipal Home Rule Law, the Town Clerk is hereby directed to enter Local Law No. 1 of 2019 into the minutes of this meeting and file the same with the Office of the Secretary of State of the State of New York.

#### **RESOLUTION #58-19**

### AUTHORIZING THE ADOPTION OF LOCAL LAW NO. 2 OF 2019 ENTITLED: A LOCAL LAW SETTING FORTH DOG CONTROL REGULATIONS IN THE TOWN OF FORT ANN

On the motion of Councilman Hall, seconded by Councilwoman Stark to accept resolution entitled "Resolution authorizing the adoption of Local Law No. 2 of 2019 Entitled: A Local Law Setting Forth Dog Control Regulations in the Town of Fort Ann."

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

**RESOLVED,** pursuant to and in accordance with the Municipal Home Rule Law, the Town Clerk is hereby directed to enter Local Law No. 2 of 2019 into the minutes of this meeting and file the same with the Office of the Secretary of State of the State of New York.

#### **RESOLUTION #59-19**

# INTRODUCING PROPOSED LOCAL LAW NO. 3 OF 2019 A LOCAL LAW REPEALING THE FLOOD DAMAGE PREVENTION LOCAL LAW OF THE TOWN OF FORT ANN

On motion of Councilman Fletcher, seconded by Councilwoman Witherell to accept resolution entitled "Resolution Introducing Proposed Local Law No. 3 of 2019 A Local Law Repealing the Flood Damage Prevention Local Law of the Town of Fort Ann."

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

**RESOLVED**, a public hearing shall be scheduled for the consideration of this proposed local law to be held by the Town Board on April 8, 2019 at 6: 05 p.m.

#### **RESOLUTION #60-19**

### INTRODUCING PROPOSED LOCAL LAW ESTABLISHING REGULATIONS FOR FLOOD DAMAGE PREVENTION IN THE TOWN OF FORT ANN

On motion of Councilman Hall, seconded by Councilwoman Stark to accept resolution entitled "Resolution Introducing Proposed Local Law Establishing Regulations for Flood Damage Prevention in the Town of Fort Ann."

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

**RESOLVED**, a public hearing shall be scheduled for the consideration of this proposed local law to be held by the Town Board on April 8, 2019 at 6:05 p.m.

#### **RESOLUTION #61-19**

#### RESOLUTION TO DECLARE SURPLUS EQUIPMENT

On the motion of Councilman Hall, seconded by Councilman Fletcher to accept resolution entitled "Resolution to Declare Surplus Equipment."

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

**RESOLVED,** that the Town Board of the Town of Fort Ann declares the 1996 Backhoe 555 4WD Serial # 43641; 1998 Morbark chipper Serial # 22541 as surplus.

**6:44 p.m. Open Public Discussion** with the part-time Enforcement Officer, Mark Miller, stating that the Flood Plan Administrator brings more responsibility than what is listed in the Enforcement Officer job specification. He does know someone in Greenwich that does this for other towns. His name is Alton Knapp from AE Knapp Associates. Supervisor Moore asked Mark to have Mr. Knapp contact him.

### 6:45 p.m. Closed Public Discussion

6:46 p.m. Motion was introduced by Councilman Hall, seconded by Councilwoman Witherell to adjourn.

Motion was carried unanimously.

Total Abstracts: General: \$ 19,604.61

Highway: \$ 26,350.91 Hadlock Park District: \$ 25.50 Youth Commission \$ 35.00

Respectfully submitted,

Barbara J. Winchell, Town Clerk

Dated: March 18, 2019 Town of Fort Ann, New York