

**MINUTES OF THE PUBLIC HEARING AND REGULAR TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON MONDAY, MARCH 14, 2016 AT 7:00 P.M. AT THE FORT ANN TOWN HALL**

**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, Bill Toscano, The Post Star, Joe Loszynski, Jack Davis, William Hohmann, George Smith, Howard Denison, Christine Milligan, Dale Grinnell, Mike LaCrosse, Gene Connell, Deb and Jonathan Allen, Beth and Caleb Bush, John and Eileen Herring, Mary Davis, Wendall and Kyle Evarts, Bob and Ted Collette, Al, Mary and Joshua Bressette

Meeting was called to order at 7:00 p.m. with the Pledge of Allegiance to the Flag and a moment of silence was held for deceased Fort Ann residents, Anita Strainer, Eleanor Campney, Helene Georgi and Alex Dilallo.

On motion of Councilman Varney, seconded by Councilwoman Witherell, to accept the Regular Town Board Minutes of February 8, 2016.

Motion was carried.

On motion of Councilwoman Witherell, seconded by Councilwoman Stark, to accept the Special Town Board Minutes of February 18, 2016.

Motion was carried.

On motion of Councilman Fletcher, seconded by Councilwoman Stark, to accept the Town Court Audit Workshop Minutes of March 3, 2016.

Motion was carried.

Proclamations were presented to the following Eagle Scouts by Supervisor Moore: Jonathan Allen, Joshua Bressette, Caleb Bush, Ted Collette and Kyle Evarts. John Herring, Scoutmaster Troop 46, and Beth Bush, Sr. District Executive Twin Rivers Council, were also present and introduced by Supervisor Moore.

Supervisor Moore read the February 2016 monthly financial statement.

Receipts	\$384,306.18
Hadlock Park District	\$100,009.31
Highway Fund	\$150,001.59
Trust & Agency Fund Highway	\$ 22,211.83
Trust & Agency Fund General	\$ 6,931.19
Disbursements Highway	\$130,122.46
Disbursements General Fund	\$558,150.86

Hadlock Dam Savings Account \$ 26,240.63  
(1<sup>st</sup> bond interest payment)

**Checkbook Balances**

General Fund \$186,173.22  
Highway Fund \$ 42,930.50  
Youth Commission \$ 1,006.02  
Hadlock Dam Project \$ 239.68  
Trust & Agency Fund \$ 349.79  
Consolidated Health \$ 862.74

**Savings Accounts**

General Fund \$610,957.68  
Highway Fund \$878,255.50  
Hadlock Dam \$285,881.32  
LOSAP \$ 27,599.01

Supervisor Moore mentioned that sometime this week he and the Bookkeeper would be going to Glens Falls National Bank to open a checking account for Lake Hadlock Park District. The Lake Hadlock Park District money needs to be in a separate account from the Town of Fort Ann.

Supervisor's Report: Supervisor Moore stated that he has started a Finance Committee. The committee is made up of him, Councilwoman Stark and Helen Denno. It is important from a fiscal standpoint to see and predict what the Town's finances will look like in the next 3-5 years. Next meeting will be May 5, 2016. It will still be a work in progress on May 5<sup>th</sup> as the Bookkeeper has a lot of work putting the history together so they can accurately forecast the financial future of the Town.

Supervisor Moore reported that Hadlock dam is properly insured for the first time ever. Unfortunately there isn't money in the 2016 budget to cover this but that will be rectified.

Supervisor Moore reported Cool Insuring Agency covers the dam insurance and the two (2) year premium was locked in at \$92,492.88 and the rate per thousand stayed the same.

It was decided to appoint Thorn Gershon Tymann and Bonanni as special counsel in the matter of Town of Fort Ann v. New York Municipal Insurance Reciprocal.

Supervisor Moore had a meeting regarding boundary lines at the Tripoli Road cemetery that are in a close proximity to the Moose Hillock Campground. The owner of Moose Hillock Campground should be available to meet with Supervisor Moore next month. Christine Milligan gave the Town Attorney deeds to review.

Supervisor Moore announced that there will be Emergency Plan Training provided by Mr. Ed Sharrow of the Fort Ann Volunteer Fire Company on March 22, 2016 at 6:00 p.m. at the Town Hall.

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

Motion was carried.

Supervisor Moore announced that there is a public hearing scheduled for tonight for the purpose of changing the date of Grievance Day to the first Thursday in June each year.

The public hearing was opened at 7:21 p.m. and with no public comments being made was closed at 7:22 p.m.

Public comment was opened at 7:22 p.m.

Public comment was closed at 7:23 p.m. with no comments being made.

Town Clerk's Report was given for the month of February 2016.

Highway Superintendent Report: Reported that the Highway Department has been busy cutting brush on Patten Mills Road, Evans Lane and Brayton Road. They've been doing ditch work on Fish Hill, Dublin Hill and Patten Mills Road. He ordered the 40 MPH signs for the section of Dewey's Bridge Road between Clay Hill Road intersection and the intersection of County Route 17 after receiving the approval to lower the speed limit from NYS DOT. The Highway Department has graded all the dirt roads in the town at least once. Shelving Rock Road is closed due to mud season. He is in the process of getting quotes regarding the sag spots on the top of the dam that were mentioned in the annual inspection report by Haley & Aldrich.

Councilman Varney expressed his concern about the 4 wheeler's going up and down Hadlock Pond Road. This would be a Washington County Sheriff's Department issue.

Councilwoman Stark reported that the trail from Waterford to Whitehall is making a lot of progress. She asked what needs to be done to designate Clay Hill as part of bike trail to get from Fort Ann to Whitehall. Councilwoman Stark attended Office for the Aging meeting and is going to put a couple of articles on the Town Hall bulletin board that indicates services available to Seniors as well as restaurants in the area that offer discounted meals for Seniors. Councilwoman Stark announced there will be a Canal Clean Sweep April 22<sup>nd</sup> – April 24<sup>th</sup> and is looking for volunteers for April 23<sup>rd</sup> for 9:00 a.m. or 10:00 a.m. to meet by the canal and clean up the park. She'll pin point a definite time as it gets closer to the date.

Councilman Fletcher complimented the Highway Superintendent on the nice looking used truck they recently purchased. He stated it looks brand new.

Enforcement Officer report was given for the month of February 2016.

No Historian Report.

Joe Loszynski, Lake Hadlock Project Manager, submitted a monthly progress report by email to the Town Board.

Supervisor Moore stated that he, Mr. Loszynski and Steve LaMere had recently attended an Adirondack Park Agency (APA) meeting in Ray Brook and the APA was very impressed with the amount of milfoil that was removed from the lake last summer and very complimentary of Mr. Loszynski's being the Lake Hadlock Project Manager. Supervisor Moore mentioned the topic of succession planning. Who would

replace Mr. Loszynski? Mr. Loszynski hopes to have a three (3) year business plan done by the end of this summer to assist with the 2017 budget process.

Supervisor Moore wanted to clarify that any expense incurred for a software program, to be developed to communicate with the Lake Hadlock Park District residents, would need to be by Lake Hadlock Park District and not the Town of Fort Ann.

No Old Business to report.

New Business:

**RESOLUTION #54-16**

**AUDITING THE FINANCIAL RECORDS OF THE TOWN OF FORT ANN JUSTICE**

On motion of Councilwoman Witherell, seconded by Councilman Fletcher, to accept resolution entitled "Resolution auditing the Financial Records of the Town of Fort Ann Justice."

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

**RESOLVED**, that the Fort Ann Town Board audited the financial records of the Town Justice for the fiscal year January 1, 2015 through December 31, 2015 at a special meeting held on March 3, 2016.

**RESOLUTION #55-16**

**ADOPTING PROPOSED LOCAL LAW CHANGING THE DAY OF GRIEVANCE DAY IN THE TOWN OF FORT ANN**

On motion of Councilwoman Witherell, seconded by Councilman Varney, to accept resolution entitled "Resolution adopting proposed local laws changing the day of Grievance Day in the Town of Fort Ann."

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

**RESOLVED**, that the proposed Local Law is hereby adopted as Local Law No. 1 of 2016. Pursuant to and in accordance with the Municipal Home Rule Law, the Town Clerk is hereby directed to enter Local Law No. 1 of 2016 into the minutes of this meeting and file the same with the Office of the Secretary of State of the State of New York. Pursuant to and in accordance with Real Property Tax Law, the Town Clerk is hereby directed to file a copy of Local Law No. 1 of 2016 in the Town Clerk's Office and with the State Board of Equalization and Assessment.

**RESOLUTION #56-16**

**AUTHORIZING \$300.00 STIPEND TO DONNA KLEIN TO RECONCILE MONTHLY CHECKING AND SAVING ACCOUNTS**

On motion of Councilman Fletcher, seconded by Councilwoman Witherell, to accept resolution entitled "Resolution Authorizing \$300.00 stipend to Donna Klein to reconcile monthly checking and saving accounts."

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

**RESOLVED**, that the Fort Ann Town Board hereby authorizes a \$300.00 stipend to Donna Klein to reconcile monthly checking and saving accounts for the Town of Fort Ann.

**RESOLUTION #57-16**

**INCREASING THE CONFIDENTIAL SECRETARY ANNUAL SALARY FROM \$1,500.00 TO \$2,500.00**

On motion of Councilwoman Stark, seconded by Councilwoman Witherell, to accept resolution entitled "Resolution Increasing the Confidential Secretary Annual Salary from \$1,500.00 to \$2,500.00."

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

**RESOLVED**, that the Fort Ann Town Board hereby authorizes the increasing of the Confidential Secretary annual salary from \$1,500.00 to \$2,500.00.

**RESOLUTION #58-16**

**AUTHORIZING THE TOWN OF FORT ANN TOWN JUSTICE OFFICE TO HAVE \$200.00 PETTY CASH**

On motion of Councilman Fletcher, seconded by Councilwoman Witherell, to accept resolution entitled "Resolution Authorizing the Town of Fort Ann Town Justice Office to have \$200.00 Petty Cash."

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

**RESOLVED**, that the Fort Ann Town Board hereby authorizes the Town of Fort Ann Town Justice Office to have \$200.00 petty cash.

**RESOLUTION #59-16**

**AUTHORIZE WIRE TRANSFERS OF TOWN OF FORT ANN ACCOUNTS WITH GLENS FALLS NATIONAL BANK**

On motion of Councilwoman Witherell, seconded by Councilwoman Stark, to accept resolution entitled "Resolution to Authorize Wire Transfers of Town of Fort Ann Accounts with Glens Falls National Bank."

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

**RESOLVED**, that the Town Board of the Town of Fort Ann hereby authorizes wire transfers with Glens Falls National Bank.

**RESOLUTION #60-16**

**AUTHORIZING THE CONTRACT WITH NORTH SHORE SOLUTIONS FOR TOWN OF FORT ANN WEBSITE**

On motion of Councilwoman Witherell, seconded by Councilman Varney, to accept resolution entitled "Resolution authorizing the contract with North Shore Solutions for Town of Fort Ann website."

Supervisor Moore stated he did the necessary due diligence by looking at approximately six (6) different vendors and this seemed to be the best for \$790.00 a year for software with a \$200.00-\$300.00 and a one (1) time set up charge and thirty (30) hours of maintenance. In Washington County the Town of Granville uses North Shore and Supervisor Moore was impressed with their website. There is nothing in the 2016 budget for this.

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

**RESOLVED**, that the Town Board of the Town of Fort Ann hereby authorizes the contract with North Shore Solutions, 160 N. Shore Dr., Clayton, New York 13624.

**RESOLUTION #61-16**

**AUTHORIZING THE ACCEPTANCE OF THE PROPOSAL FROM HALEY & ALDRICH TO REPAIR DROP INLET LEAK**

On motion of Councilwoman Witherell, seconded by Councilman Varney, to accept resolution entitled "Resolution authorizing the acceptance of the proposal from Haley & Aldrich to repair drop inlet leak."

This is not considered problematic and should be a one (1) day fix. The Haley & Aldrich proposal for consulting will be \$4,500.00.

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

**RESOLVED**, the Town Board of the Town of Fort Ann hereby approves the proposal as submitted by Haley & Aldrich and authorized the Town Supervisor to accept the proposal and execute the same on behalf of the Town of Fort Ann.

**RESOLUTION #62-16**

**CREATING COURT ATTENDANT POSITION**

On motion of Councilwoman Witherell, seconded by Councilman Fletcher, to accept resolution entitled "Resolution Creating Court Attendant Position."

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

**RESOLVED**, the Town Board hereby approved the creation of the Court Attendant position at \$12.00 per hour for 12-15 hours per month.

**RESOLUTION #63-16**

**APPOINTING 2016 VOLUNTEER TO MOW CEMETERIES LOCATED IN THE TOWN OF FORT ANN**

On motion of Councilwoman Witherell, seconded by Councilman Varney, to accept resolution entitled "Resolution appointing 2016 volunteer to mow cemeteries located in the Town of Fort Ann."

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

**RESOLVED**, that the Fort Ann Town Board hereby appoints Dennis Fletcher, 29 Morgans Lane, Comstock, New York 12821 to serve as a volunteer, without compensation of any sort, in the Town of Fort Ann Highway Department for the express purpose of mowing and maintaining cemeteries located in the Town of Fort Ann for 2016.

The West Fort Ann Volunteer Fire Company Attorney Bruce Lipinski asked that the February 8, 2016 dates on Resolution 01-16 be changed to December 14, 2015. Our Town Attorney agreed with this change so the Town Clerk mailed a revised resolution 01-16 to First Bankers to the attention of Mr. John Hill and gave a copy of same to Chief Mitch Beck.

Correspondence/Miscellaneous: Supervisor Moore stated that it was mentioned at the December Town Board Meeting that there should be \$100,000.00 check coming to the Town of Fort Ann with \$75,000.00 to the Town and \$25,000.00 to the Village but the necessary paperwork still needs to be submitted to OSC. Cindy Allen, Streetscape Chairperson, is coordinating this with New York State Dept. of Transportation.

Supervisor Moore asked the Bookkeeper to prepare an RFP for the LOSAP program. Mary Davis, Pilot Knob Fire Company, stated she thought there had been an audit performed in 2009.

Supervisor Moore reminded everyone that there is a burn ban in effect from March 16 – May 14, 2016. Fort Ann is one of three (3) towns designated fire towns in Washington County.

Supervisor Moore received a letter from the Department of Interior about the NYS Barge Canal being considered a National Historic Landmark and being given a bronze plaque in the future.

7:55 p.m. open public discussion

Christine Milligan displayed a county tax map showing all the properties in and around the Fort Ann Battle Hill battlefield. She specifically showed them the parcel that Mr. Vona owns and has offered to sell back to the Town of Fort Ann. There are two (2) parcels owned by Caprood at the main part of the battlefield. The county tax map indicates all the other mines between Fort Ann and Whitehall.

7:59 p.m. closed public discussion

8:00 p.m. Motion was made by Councilwoman Witherell, seconded by Councilman Varney to go into executive session to discuss on going litigation regarding Hadlock.

Motion was carried.

8:19 p.m. Motion was made by Councilwoman Witherell, seconded by Councilman Varney to come out of executive session and return to the Regular Town Board meeting.

Motion was carried.

8:20 p.m. Motion was made by Councilwoman Stark, seconded by Councilwoman Witherell to adjourn.

Motion was carried.

Total Abstracts:	General:	\$ 69,641.07
	Highway:	\$ 88,014.03

Respectfully submitted,

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

Dated: March 17, 2016