

MINUTES OF THE REGULAR TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON MONDAY, MARCH 14, 2022 AT 6:00 P.M. AT THE FORT ANN VOLUNTEER FIRE COMPANY

PRESENT: Supervisor Samuel J. Hall
Councilwoman Gretchen Stark
Councilman Michael Sexton
Councilman George F. Smith
Councilwoman Deborah Witherell

ABSENT: Christine Milligan, Historian
Mark Miller, p/t Enforcement Officer
Lisa Barbato, p/t Dog Control Officer

OTHERS PRESENT: Barbara Winchell, Town Clerk, Paul Winchell, Highway Superintendent, Jeffrey Meyer, Attorney for the Town, Chad Wilson, Michelle Vara, Lori Barber, Laura Kamburelis, Melissa Fitch, Matt Jones, Barb Burch, Duane Burch, Joan Degener, Shelbie Paulsen, Bill Bailey, Tim Stachnick, Lori Hagen, Jeff Pepper, Kevin Kelly, John Sharkey, Beth Ann Bilger, Jason Pollack, Jon Pollack, Don Sexton, Steve Wade

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

Moment of silence was held for the following Fort Ann residents, Danielle Morgan.

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

Motion was carried unanimously.

Motion was introduced by Councilwoman Stark, seconded by Councilwoman Witherell to accept the Regular Town Board Meeting Minutes from February 14, 2022.

Motion was carried unanimously.

Supervisor Hall read the January 2022 monthly financial statement.

Checking Account Balances

General Fund	\$1,239,769.78
Highway Fund	\$1,077,643.45
Youth Commission	\$ 5,195.04
Hadlock Dam Project	\$ 240.09
Hadlock Park District Fund	\$ 208,850.69
Consolidated Health District	\$ 370.48
Trust & Agency Fund	\$ (5,970.46)
Medical Reimbursement Fund	\$ 5,259.40

Savings Accounts

NYCLASS-General Fund	\$ 498,396.53
NYCLASS-Highway Fund	\$ 2,588.05
NYCLASS-Hadlock Park District	\$ 95,758.63

LOSAP \$.52

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

Motion was carried unanimously.

Presentations:

2.1 Washington County Fort Ann DPW Shared Facility. Submitted to Matt Jones, Washington County Buildings & Grounds Superintendent from M/E Engineering, P.C., 433 State St., Suite 410, Schenectady, NY 12305. Matt Jones made copies of the Washington County Fort Ann DPW Shared Facility booklet available to those in attendance tonight (paper copies are available at Town Clerk's Office). Mr. Jones spoke of this project being 60% Washington County and 40% Town of Fort Ann and of it being a 23,000 sq foot metal building with metal roof. Groundbreaking is planned for Spring of 2023 in back of the existing Fort Ann Highway Department and Washington County Highway barn located on State Rte 149. Matt then introduced Beth Ann Bilger, Project Manager, M/E Engineering who had the booklet on a slide show for all to see and follow along. Beth Ann Bilger turned the meeting over to Kevin S. Kelly, RLA, Senior Technical Leader with Weston & Sampson. Mr. Kelly then turned the meeting over to John Sharkey, AIA, Principal with Rhinebeck Architecture for Planning/Design/Building Evaluations/Educational Analysis.

2.2 Lori Barber, Tax Assessor with Washington County Real Property for the Town of Fort Ann and Laura Kamburelis, Data Collector with Washington County Real Property. Both ladies did a short presentation about revaluing properties in the Town of Fort Ann. New York State requires this every 3-5 years to be equitable in the states eyes. No numbers have been changed since early 2000's. Every property will be looked at. Laura Kamburelis, Data Collector, leaves a business card at each house that she collects data at. After the presentation they answered questions about the revaluation.

Councilman Sexton asked about short-term rentals as commercial. Lori Barber stated they are assessed and classified as residential at this point. Lori Barber stated they haven't looked at commercial yet it is a different level than residential. Councilman Sexton concluded by saying you really shouldn't wait and do this every fifteen (15) years and then have to play catch up.

Supervisor Hall stated the state is looking at short-term rentals over the next couple of years. He'll keep us updated as legislation addresses short-term rentals.

Supervisor Hall went over the parameters of the privilege of the floor that is attached to the agenda.

7:05 p.m. Public Comment opened on the agenda items.

7:06 p.m. Public Comment closed without comment.

Supervisor's Report:

Supervisor Hall stated he and Councilman Smith did a webinar with Lake George Commission and treated herbicides. Councilman Smith said there is something that is a lot less evasive than other chemicals used in very early Spring that targets milfoil as an alternative. As they get more information they will discuss with Lake Hadlock Association.

Supervisor Hall is reviewing the final draft inspection of the dam and have corrected what needed to be corrected. Councilman Smith stated he had to inspect the dam wall because of the wave boat that people were concerned may have caused damage.

Councilwoman Stark: Councilwoman Stark reported out on the Office for the Aging nutrition sites that are open in Whitehall, Cambridge and Hudson Falls for individuals 60 and older.

Councilwoman Stark mentioned a lifeguarding class coming up at the Hudson Falls Junior High School: recertification on Monday, April 18, 2022, at 10:00 a.m. Complete Course on Tuesday through Friday April 19 – 22, 2022 at 10:00 a.m.

Councilwoman Stark state the GoGo Grandparent service still ongoing and extended through 2023.

Councilwoman Stark has applications for anyone that would like to nominate Senior of the Year.

Washington County has a supply of COVID test kits and hand sanitizer for free.

There will be a Washington County Senior picnic this year.

Councilwoman Stark said they are looking for trail stewards in keeping the bike trail clean. Also, looking for a bike safety program.

Councilwoman Stark is working with John Huggins of Glens Falls Hospital on grants. They supply the materials but we have to do the work ie: benches/supply paint for crosswalks.

Councilwoman Stark wanted to thank the Highway Department for all they do.

Councilman Smith mentioned advertising for positions to operate the Harvester.

Town Clerk's Report was given for February 2022. Supervisor Hall thanked the Town Clerk for her patience with the relocating of the meeting and last minute resolutions and agenda changes.

Highway Superintendent Report: The Highway Superintendent stated they've been dealing with snow; posting roads; patching/grading and Shelving Rock closed due to mud season.

Enforcement Officer Report was given for February 2022.

Historian: not present

5.0 Old Business – nothing new to report.

5.1 A Local Law Regulating Short-Term Rentals in the Town of Fort Ann.

5.2 A Local Law Amending the Town of Fort Ann Site Plan Review.

New Business: Councilman Smith brought up older deeds on Hadlock have conveyances and newer ones don't. Councilman Smith found and read the following: This conveyance is subject to the following conditions, covenants and restrictions:

1. No more than two dwelling places shall be erected on the above described parcel of land for each one hundred feet (100') of shore front on Hadlock Pond. It is understood and agreed that the words "dwelling place" shall include any structure, whether permanent or temporary in nature, providing accommodations for habitation.
2. No outhouse or cesspool shall be constructed or build on any portion of the above described property.
3. There shall not be conducted on the premises above described any commercial enterprise or business for profit of any kind or nature nor shall there be conducted on the premises above described any boarding house, hotel, inn, school, hospital, sanitarium, or other industry.
4. The Hadlock Realty Corporation expressly reserves the right to forever maintain a dam or dams across, at, or near the outlet of Hadlock Pond in the Town of Fort Ann at such point or points that it, or its successors or assigns, shall elect for the purpose of raising, lowering, and/or holding the waters of Hadlock Pond by means thereof, together with the right to raise or lower the level of said Hadlock Pond by means of said dam or dams at all times in such manner as it, in its sole discretion, deems necessary or advisable

RESOLUTION #45-2022

AUTHORIZING SUPERVISOR HALL TO SIGN THE HALEY & ALDRICH PROPOSAL FOR ANNUAL HADLOCK DAM INSPECTION SERVICES

On motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled "Resolution Authorizing Supervisor Hall to sign the Haley & Aldrich Proposal for Annual Hadlock Dam Inspection Services."

ADOPTED AYES 5 Sexton, Smith Stark, Witherell, Hall

RESOLVED, the Town Board approves the 2022 contract with Haley & Aldrich for dam inspection services for the fee of \$4,400.00 and further authorizes the Town Supervisor to execute the requisite agreement.

RESOLUTION #46-2022

TO MODIFY THE 2021 BUDGET BY TRANSFERRING FUNDS BETWEEN APPROPRIATIONS TO COVER SHORTAGES IN THE SPECIFIED ACCOUNT DUE TO UNANTICIPATED EXPENDITURES DURING THE 2021 FISCAL YEAR

On motion of Councilwoman Witherell, seconded by Councilman Sexton to accept resolution entitled "Resolution to Modify the 2021 Budget by transferring funds between Appropriations to cover shortages in the specified account due to unanticipated expenditures during the 2021 fiscal year."

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

RESOLVED, the 2021 budget shall be amended by transferring funds between appropriation accounts as indicated.

RESOLUTION #47-2022

TO MODIFY THE 2021 BUDGET BY APPROPRIATING MONIES RECEIVED AS STATE AID FROM THE NYS CHIPS PROGRAM TO BE USED FOR IMPROVEMENTS TO TOWN HIGHWAYS IN THE 2021 FISCAL YEAR

On motion of Councilwoman Stark, seconded by Councilman Sexton to accept resolution entitled "Resolution to Modify the 2021 budget by appropriating monies received as State Aid from the NYS CHIPS Program to be used for improvements to town highways in the 2021 fiscal year."

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

RESOLVED, the 2021 budget shall be modified by appropriating funds to the account as indicated.

RESOLUTION #48-2022

TO MODIFY THE 2021 BUDGET BY TRANSFERRING FUNDS FROM THE CONTINGENCY FUND TO SPECIFIED ACCOUNTS DUE TO UNANTICIPATED EXPENDITURES IN THOSE ACCOUNTS DURING THE 2021 FISCAL YEAR

On motion of Councilman Smith, seconded by Councilwoman Witherell to accept resolution entitled "Resolution to Modify the 2021 budget by transferring funds from the contingency fund to specified accounts due to unanticipated expenditures in those accounts during the 2021 fiscal year."

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

RESOLVED, the 2021 budget shall be modified by transferring funds from the contingency fund to the accounts as indicated.

RESOLUTION #49-2022

TO MODIFY THE 2021 BUDGET BY TRANSFERRING FUNDS BETWEEN APPROPRIATIONS TO COVER SHORTAGES IN SPECIFIED ACCOUNTS DUE TO UNANTICIPATED EXPENDITURES DUREING THE 2021 FISCAL YEAR

On motion of Councilman Sexton, seconded by Councilwoman Stark to accept resolution entitled "Resolution to Modify the 2021 budget by transferring funds between appropriations to cover shortages in specified accounts due to unanticipated expenditures during the 2021 fiscal year."

RESOLVED, the 2021 budget shall be amended by transferring funds between appropriation accounts as indicated.

RESOLUTION #50-2022

FOR THE TOWN OF FORT ANN TO SET A PUBLIC HEARING FOR THE FINANCING OF A NEW ROSENBAUER ENGINE TANKER TO BE PURCHASED BY THE FORT ANN VOLUNTEER FIRE COMPANY, INC.

On motion of Councilman Sexton, seconded by Councilwoman Stark to accept resolution entitled "Resolution for the Town of Fort Ann to set a public hearing for the financing of a new Rosenbauer Engine Tanker to be purchased by the Fort Ann Volunteer Fire Company, Inc."

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

RESOLVED, that the Town Clerk shall be directed to publish a public notice of the Public Hearing in the official newspaper, *The Post-Star*, relative to the financing of the proposed purchase of a new Rosenbauer Engine Tanker, and the Town Clerk is hereby directed to also post said notice in accordance with the applicable law.

RESOLUTION #51-2022

AUTHORIZING A REQUEST FOR PROPOSAL FOR ENGINEERING AND DESIGN SERVICES RELATIVE TO THE CONSTRUCTION AND THE USE OF A SHARED HIGHWAY FACILITY

On motion of Councilman Sexton, seconded by Councilwoman Witherell to accept resolution entitled “Resolution Authorizing a Request for Proposal for Engineering and Design Services Relative to the Construction and the Use of a Shared Highway Facility.”

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

RESOLVED, the Supervisor is hereby authorized and empowered to work with Washington County and take all necessary actions relative to the posting and publishing the request for proposal.

7:44 p.m. **Open Public Discussion**

Supervisor Hall spoke of the difference between renting a home vs a business.

Supervisor Hall spoke of the percentage of COVID vaccinations in Washington and is very proud of how departments handled and supported Washington County Public Health.

7:46 p.m. **Closed Public Discussion**

7:47 p.m. motion was introduced by Councilman Sexton, seconded by Councilman Smith on to adjourn.

Motion was carried unanimously.

Total Abstracts:	General:	\$22,399.46
	Highway:	\$23,784.61

Respectfully submitted,

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

Dated: March 25, 2022