

**MINUTES OF THE REGULAR TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON MONDAY, MAY 10, 2021 AT 6:00 P.M. AT THE FORT ANN TOWN HALL**

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

**ABSENT:** Paul Winchell, Highway Superintendent  
Christine Milligan, Town Historian  
Lisa Barbato, Dog Control Officer

**OTHERS PRESENT:** Barbara Winchell, Town Clerk, Jeffrey Meyer, Attorney for the Town, Chad Wilson, Michelle Vara

Meeting was called to order at 6:02 p.m. with the Pledge of Allegiance to the Flag.

There was no need for moment of silence tonight.

Motion was introduced by Councilman Sexton, seconded by Councilman Smith to accept tonight's agenda.

Motion was carried unanimously.

Motion was introduced by Councilwoman Witherell, seconded by Councilman Sexton to accept the Regular Town Board Minutes of April 12, 2021.

Motion was carried unanimously.

Supervisor Hall read the March 2021 monthly financial statement.

**Receipts for the month of March**

**Checking Account Balances**

General Fund	\$ 238,823.28
Highway Fund	\$ 69,065.41
Youth Commission	\$ 10,454.15
Hadlock Dam Project	\$ 240.09
Hadlock Park District Fund	\$ 7,868.72
Consolidated Health District	\$ 370.48
Trust & Agency Fund	\$ 1,991.27
Medical Reimbursement Fund	\$ 5,013.87

**Savings Accounts**

NYCLASS-General Fund	\$ 468,247.13
NYCLASS-Highway Fund	\$1,022,429.55
NYCLASS-Hadlock Park District	\$ 205,716.80



Councilman Sexton stated he sent a generic email three (3) different times and made a couple of phone calls with no one getting back to him but wondered if when Rozell puts the Harvester in at Hadlock could they also put in the dock at the canal. The dock is chained and anchored to the shoreline.

Councilwoman Stark thinks the \$2,000.00 fee was for the use of the canal. Councilwoman Witherell thought the \$2,000.00 was for the water running through. Councilwoman Witherell thought it was a couple thousand dollars and thought it was in the bills for January or February. Supervisor Hall doesn't remember seeing Canal Corp. fees in the budget but will look into it. Councilwoman Witherell wondered if every other town pays and is there such a thing as a lifetime contract?

Supervisor Hall asked the Attorney for the Town if he remembers there being an actual contract. The Attorney for the Town does not remember there being a contract. The Attorney for the Town stated it's generally hard to get proper records out of the Canal Corp. The Attorney for the Town stated people are working off what they've been told over time. Councilwoman Stark will contact a gentleman with Canal Corp. out of Fort Edward.

Councilman Smith had a get together with the Harvester crew. Councilman Smith is working on a punch list that includes: Harvester, pontoon boat, pontoon boat trailer and dump trailer all have work that needs to be done. He will keep the town board updated.

Councilwoman Stark stated she has two (2) lifeguards and it will be very hectic with only two (2). She is still trying to get more lifeguards and get another lifeguard class going to get some people interested. She asked the Town Clerk if the beach permit has been received. The Town Clerk said it has not but she will follow-up with NYS DOH. Councilwoman Stark stated that swim lessons will start July 6, 2021 with the Summer Recreation Program.

Councilwoman Stark was notified that the Town of Fort Ann will be receiving a bike fix it station and bike racks down at the canal by the end of June. Also, two (2) signs will be put in at the end of the trail and at the top of the canal which will provide information about the bike trail.

Councilwoman Stark advised that Supervisor Hall had received a letter from the Champlain Canalway working group that she is a part of stating they would like to put their information on our website. They are looking into each town to adopt a part of the trail and report to their town if anything needs to be done.

Councilwoman Stark said on April 24, 2021 there were (6) six people that took part in the annual Canal Sweep (first session). May 13, 2021 will be the second session of clean up.

Councilwoman Stark is looking for Cumberland Farms to be a bike friendly business.

**Town Clerk's Report** was given for April 2021. Town Clerk was advised there would not be a Memorial Day parade this year. Supervisor Hall stated there would be a service at 11:00 a.m. with the scouts at the Village Park with the laying of a wreath.

**Highway Superintendent Report:** Not present

**Enforcement Officer Report** was not present but there was a paper report given to Town Board Member's for April 2021.

**Historian:** not present

**Dog Control Officer:** not present

#### **4.0 Old Business:**

##### **4.1 A Local Law Regulating Short-Term Rentals in the Town of Fort Ann**

The Attorney for the Town provided a DRAFT 5 page copy of A Local Law Regulating Short-Term Rentals in the Town of Fort Ann was provided to the town board members. The Town Board has determined that short-term, transient rentals can be incompatible with the sense of privacy, community and ambience currently enjoyed in residential areas of the Town and have the potential to create a threat to the public health, safety and well-being within the Town. The Board also recognizes that Short-Term Rentals can attract visitors to the Town and can provide an additional source of income to Town residents. This local law shall apply to the whole Town and is intended to regulate the commercial nature of short-term rentals and transient guests.

Accordingly, the Board wishes to provide regulations to protect against adverse effects of this use while allowing it under appropriate circumstances. It consists of the following:

**ARTICLE 1.** PURPOSE AND INTENT; AUTHORITY.

**ARTICLE 2.** DEFINITIONS. Dwelling Unit; Rental; Short-term Rental; Short-term Rental Owner; Short-Term Rental Property.

**ARTICLE 3.** SHORT-TERM RENTAL STANDARDS.

**ARTICLE 4.** CONTACT PERSON.

**ARTICLE 5.** LICENSE REQUIRED.

**ARTICLE 6.** ENFORCMENT AND PENALTIES.

**ARTICLE 7.** SEVERABILITY.

**ARTICLE 8.** EFFECTIVE DATE.

A paper copy of this can be obtained through the Town Clerk's Office.

#### **5.0 New Business**

##### **5.1 A Local Law Amending the Town of Fort Ann Site Plan Review Law**

The Attorney for the Town prepared and distributed copies of the 3 page copy of A Local Law Amending the Town of Fort Ann Site Plan Review Law under the direction of the Fort Ann Town Board at the April 12, 2021 Regular Town Board Meeting. It consists of the following:

**SECTION 1.** Purpose.

**SECTION 2.** Amendment. *Section 5: Applicability of Site Plan Approval Procedures shall be repealed and replaced and Section 16: Definitions shall be amended to include the following terms: Dwelling Unit; Short-Term Rental; Short-Term Rental Owner; Short-Term Rental Property.*

**SECTION 4.** Severability.

**SECTION 5.** Effective Date.

A paper copy of this can be obtained through the Town Clerk's Office.

**RESOLUTION #46-2021**

**APPROVING THE HIRING OF TWO (2) LABORERS TO MOW CEMETERIES FOR THE SUMMER OF 2021**

On motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled "Resolution Approving the Hiring of two (2) Laborers to mow cemeteries for the Summer of 2021."

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

**RESOLVED**, that the Town Board of the Town of Fort Ann hereby approves the hiring of two (2) Laborers for the Summer of 2021 to mow the cemeteries at an hourly rate each of \$13.65 an hour with a \$0.50 per hour, per year, longevity step.

Supervisor Hall mentioned that Washington County Alternative Sentencing will be assisting with the mowing of cemeteries as well as they have in the past.

**RESOLUTION #47-2021**

**TO HIRE SUMMER RECREATION EMPLOYEES**

On motion of Councilwoman Witherell, seconded by Councilwoman Stark to accept resolution entitled "Resolution to Hire Summer Recreation Employees."

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

**RESOLVED**, that the Town Board of the Town of Fort Ann authorizes and directs the hiring of employees to work for the six (6) week Town of Fort Ann Summer Recreation Program on a Part-time/Seasonal basis starting July 1, 2021.

**RESOLUTION #48-2021**

**AUTHORIZING HIRING OF SEASONAL EMPLOYEES TO WORK FOR LAKE HADLOCK PARK DISTRICT**

On motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled "Resolution Authorizing Hiring of Seasonal Employees to work for Lake Hadlock Park District."

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

**RESOLVED**, that the Town Board of the Town of Fort Ann authorizes and directs the Town Supervisor and/or Town Budget Officer to complete any forms and take any action necessary to effectuate the terms of this resolution.

**RESOLUTION #49-2021**

**ABOLISHING OF THE TOWN OF FORT ANN TAX COLLECTOR POSITION IN THE TOWN OF FORT ANN**

On motion of Councilwoman Stark, seconded by Councilwoman Witherell to accept resolution entitled "Resolution Abolishing of the Town of Fort Ann Tax Collector Position in the Town of Fort Ann."

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

**RESOLVED**, pursuant to section 36 of the NYS Town Law, the Town of Fort Ann hereby abolishes the elected position of Town of Fort Ann Tax Collector; the abolition of said office to take effect at the expiration of the term of office of the present incumbent on December 31, 2021; and be it further

**RESOLVED**, the elective Town of Fort Ann Tax Collector is hereby abolished as of January 1, 2022. The powers and duties of the Tax Collector Office shall be consolidated with the Office of the Town Clerk of the Town of Fort Ann.

Supervisor Hall stated that by abolishing this position there should be an annual savings of \$12,000.00.

7:25 p.m. **Open Public Discussion**

7:26 p.m. **Closed Public Discussion**

7:27 p.m. Motion was introduced by Councilman Sexton, seconded by Councilman Smith to enter into executive session to discuss medical, financial, credit or employment history of a particular person/corp., or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion, or suspension.

8:19 p.m. motion was introduced by Councilman Sexton, seconded by Councilwoman Witherell to return to public session.

Motion was carried unanimously.

8:20 p.m. motion was introduced by Councilman Smith, seconded by Councilwoman Stark to adjourn.

Motion was carried unanimously.

Total Abstracts for April:	General:	\$ 6,433.14
	Highway:	\$27,253.19

Respectfully submitted,

---

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

Dated: May 21, 2021