

MINUTES OF THE REGULAR TOWN BOARD MEETING AND PUBLIC HEARING FOR LARGE SCALE SOLAR ENERGY & PILOT KNOB EMERGENCY MEDICAL SERVICES OF THE TOWN OF FORT ANN HELD ON MONDAY, JUNE 12th, 2023 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

ABSENT: Councilman Michael Sexton
Shannon Celeste, Dog Control Officer
Christine Milligan, Town Historian

OTHERS PRESENT: Miranda Herringshaw- Town Clerk, Paul Winchell-Highway Superintendent, Mark Miller-Enforcement Officer, Jeffrey Meyer- Attorney for the Town, Katelyn Moskos, John Moskos, Penny Gould, Bill Bailey, Mary Davis, Lyle Washburn, Barbara Savage, Rich Paris, Judy Rehm, Curtis Rhem, Mike Rathbun Amy Blackburn, Regina Ladd, Robert Ladd, Jo-Jo DeVecchi, Tom Stevens, Scott K, Dan Brummer, Theodore Groutos, Ernie Wilder.

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 resident Robert Rouse, Julia Fogg, Marylou Graves, Harold Winchell.

Public Hearing on large scale solar moratorium opened at 6:02 p.m.

Notice of public hearing was published in The Post Star on May 30th, 2023.

Curt Rhem stated that he is against the large-scale solar energy systems coming into Fort Ann, that he does not want to look at fields of solar panel, they are a terrible eyesore.

Mr. Rhem also stated that he knows some of these large developers will not even plan on bringing anything to the planning board for at least another two years, and this moratorium is only good for 1 year with the possibility of extending up to two (2) six-month terms. What will happen if they wait and do not bring anything forward until after this moratorium has expired?

Supervisor Hall stated he understands Mr. Rhem's concern and that the purpose of this moratorium will be to put a pause on any and all future projects for at least one (1) year with the possibility of two (2) years. This is being put in place so that the Town of Fort Ann will have time to explore all options as to what The Town can approve or deny in regards to solar farms. This moratorium is the start, so that the Town Board can understand exactly what can and can not be done in regards to solar farms.

Judy Rhem stated she is concerned about the health risk these solar panels could bring to the Town Residents (present and future).

Ernie Wilder stated that he is completely against the large-scale solar farms, that he enjoys the view he has and does not want to look at solar panels, if they were going to be in a very secluded area that would be better than being in the middle of the field for everyone to see. He also stated that he

approached on a monthly basis by developers, to sell his property to them for large scale solar farms. He also stated that he ships his beef to VT and Greg Hathaway (VT resident) was approached and was told they would put the panels 12 feet in the air and his cattle could graze under the solar panels, Greg told Ernie he would never do it again and he is now locked into a contract that he cannot get out of it. Mr. Wilder stated that if Supervisor Hall or any of the Town Board Members wanted to contact Greg Hathaway, that Mr. Hathaway would be more than happy to speak with them and give them some insight as to why he would have opted out if he were to have known exactly what he was getting into.

Michael Rathbun stated that there is only so much good farm land, and why let farm land go to waste and fill it full of solar panels.

6:25 p.m. Motion was introduced by Councilman Smith, seconded by Councilwoman Witherell to close the public hearing.

**RESOLUTION #61-2023
ADOPTING PROPOSED LOCAL LAW IMPOSING A LIMITED LARGE SCALE SOLAR ENERGY GENERATING FACILITY LAND USE MORATORIUM**

On motion of Councilman Smith, seconded by Councilwoman Witherell to accept resolution entitled “Adopting proposed local law imposing a limited large scale solar energy generating facility land use moratorium”

ADOPTED	AYES 4	Smith, Stark, Witherell, Hall
	EXCUSED 1	Sexton

RESOLVED, the Town Board, upon due deliberation of the proposed Local Law and the comments presented at the public hearing, finds that the adoption of the same shall be in the best interests of the Town and protects the public health, safety and welfare. The proposed Local Law is limited in its duration and scope to evaluate the efficacy of the existing site plan review law as they relate to the large-scale solar energy generating facilities

Motion was carried unanimously.

Public Hearing on Emergency Medical Services for the Pilot Knob Residents opened at 6:27 p.m.

Notice of public hearing was published in The Post Star on June 2nd, 2023.

Lyle Washburn asked how much this would be costing the Town of Fort Ann?

Supervisor Hall stated that based on previous years the average would be about \$7,000.00 that the EMS would bill the Town, and that the billing would be done by the call, and the cost per call would be \$350.00, per the contract that the Town will have with North Queensbury EMS.

For fifty (50) years Queensbury EMS has been servicing the Pilot Knob area when technically the Fort Ann EMS should have been due to the certificate of need clearly stating that Pilot Knob was Fort Ann’s area of responsibility, but due to the response time it is in the best interest of the Pilot Knob Residents to have North Queensbury EMS be the main responder to that area with Fort Ann EMS filling in as a mutual aid.

Regina Ladd asked if North Queensbury EMS had received the certificate of need yet for the Pilot Knob area?

Supervisor Hall stated “they have not yet, that they needed the resolution from the Town of Fort Ann in order to do so, which will be completed this evening.”

6:36 p.m. Motion was introduced by Councilwoman Witherell, seconded by Councilwoman Stark to close the public hearing.

Motion was carried unanimously.

**RESOLUTION #62-2023
AUTHORIZING QUEENSBURY EMERGENCY MEDICAL SERVICES, INC. TO PROVIDE GENERAL
AMBULANCE SERVICES TO THE PILOT KNOB AREA OF FORT ANN**

On motion of Councilman Smith, seconded by Councilwoman Stark to accept resolution entitled “Authorizing Queensbury Emergency Medical Services, inc. to provide general ambulance services to the Pilot Knob area of Fort Ann “

ADOPTED	AYES 4	Smith, Stark, Witherell, Hall
	EXCUSED 1	Sexton

RESOLVED, the Town Board, upon due consideration, hereby finds that furnishing of general ambulance service and entering into a contract for general ambulance service in accordance with Town Law §209-b is in the public interest of the residents and property owners of the Town of Fort Ann; and be it further **RESOLVED**, the Town Board hereby authorizes the Queensbury Emergency Medical Services Inc. to furnish general ambulance services in the Pilot Knob area of the Town of Fort Ann; and be it further **RESOLVED**, the Town Board hereby authorizes entering into a contract with the Queensbury Emergency Medical Services Inc. for general ambulance services in the Pilot Knob area of the Town of Fort Ann; and be it further **RESOLVED**, that the Town Board hereby authorizes the Town Supervisor to take all necessary steps to effectuate this resolution, including the filing of a copy of the same with the Washington County Clerk.

Meeting was called to order at 6:38 p.m.

Motion was introduced by Councilman Smith, seconded by Councilwoman Witherell 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 Minutes of May 8, 2023.

Motion was carried unanimously.

Motion was introduced by Councilwoman Stark, seconded by Councilman Smith to accept the Special Town Board Minutes of May 23, 2023.

Motion was carried unanimously.

Supervisor Hall read the April 2023 monthly financial statement.

Receipts for the month of March

Checking Account Balances

General Fund	\$ 30,333.24
Highway Fund	\$ 49,726.07
Youth Commission	\$ 9,158.44
Hadlock Dam Project	\$ 240.09
Hadlock Park District Fund	\$ 19,984.68
Consolidated Health District	\$ 370.48
Trust & Agency Fund	\$ 2,229.28
Medical Reimbursement Fund	\$ 5,434.28

Savings Accounts

NYCLASS-General Fund	\$ 1,268,492.47
NYCLASS-Highway Fund	\$ 907,204.05
NYCLASS-Hadlock Park District	\$ 179,928.03

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

Motion was carried unanimously.

6:40 p.m. Public Comment opened.

6:41 p.m. Public Comment closed without comment.

Supervisor's Report:

Supervisor Hall stated he has been working on getting the short-term rental permitting system in place, along with working on the Pilot Knob residents EMS situation, along with the day-to-day phone calls and operations.

Councilwoman Witherell no news to report.

Councilman Sexton- excused

Councilman Smith stated he had a zoom meeting with the Lake Hadlock Association and they are requesting a weed survey be done on Hadlock. The harvester was serviced on June 10th and will be placed at the summer location by the end of this week. They are still looking for someone to ride on the weed boat.

Councilwoman Stark stated that she would like to thank Supervisor Hall for allowing the bike trail to apply for a grant through the Town, they were granted \$2,000.00 and have held a couple events in

which teach about bike safety and if anyone needed a helmet or the helmet did not fit properly, they were given new helmets and bike vest to wear at no cost. On June 3rd they had a very good bike event the ride went from Fort Edward to Fort Ann.

A senior picnic on July 14th 2023 held at the Washington County fairgrounds for all seniors 60 and above from 10-2. Info for protective services for adults will be going on Town Hall bulletin board. The bike trail is being used, but there are no motorized vehicles are permitted to be on the trail. The Town is in need of one more life guard for the Fort Ann Beach, as of now it is Councilwoman Stark, and two others, if there are any days that there is not a lifeguard available the Fort Ann Beach will be closed for the day. Councilwoman Stark thanked Highway Superintendent, Paul Winchell for all of the work the Highway Department has put into getting the beach ready to open.

Town Clerk's Report was given for May 2023.

Highway Superintendent Report: Paul Winchell stated that the Highway Department has been busy replacing culverts and paving, Grey Goose Road is completed, they will be starting on West Road soon and will need to hire an excavator to replace culverts due to the depth of the culverts, and then they will start paving.

Enforcement Officer Report: Paper report given for May 2023.

Historian: Not present.

Dog Control Officer: Not present, paper report given for May 2023.

Old Business: None

New Business: None

RESOLUTION #63-2023

AMENDING THE SERVICE CREDITS DUE REGINA LADD UNDER THE LENGTH OF SERVICE AWARD PROGRAM POINT SYSTEM

On motion of Councilwoman Stark, seconded by Councilwoman Witherell to accept resolution entitled "Amending the service credits due Regina Ladd under the Length of Service Award Program Point System"

ADOPTED	AYES 4	Smith, Stark, Witherell, Hall
	EXCUSED 1	Sexton

RESOLVED, upon review of the LOSAP records received from the West Fort Ann Volunteer Fire Company, Inc. it was determined that Regina Ladd should have received credit in the amount determined. The Town Board hereby recognizes that Regina Ladd should be credited with two additional years of service for 2009 and 2013 and the corresponding points in the sum of 21 points for 2009 and 76 points for 2013. And be it further **RESOLVED**, the Town Supervisor is hereby authorized to take any action necessary to effectuate the amendment to the LOSAP credits contained herein and remit payment for reimbursement of lost credit hours.

RESOLUTION #64-2023

AUTHORIZING GLENS FALLS NATIONAL BANK AND TRUST COMPANY TO OVERSEE THE LENGTH OF SERVICE AWARD PROGRAM ACCOUNT FOR THE FORT ANN VOLUNTEER FIRE COMPANY, INC.

On motion of Councilman Smith, seconded by Councilwoman Stark to accept resolution entitled “Authorizing Glens Falls National Bank and Trust Company to oversee the Length of Service Award Program Account for the Fort Ann Volunteer Fire Company, Inc.”

ADOPTED AYES 4 Smith, Stark, Witherell, Hall
 EXCUSED 1 Sexton

RESOLVED, the Town Board of the Town of Fort Ann hereby approves Glens Falls National Bank and Trust Company serving as custodian and investment manager of the LOSAP program for the Fort Ann Volunteer Fire Company, Inc. And be it further **RESOLVED**, the Town Board of the Town of Fort Ann hereby approves the Fort Ann Volunteer Fire Company Inc. ’s LOSAP program joining as a participant in the existing pooled account for the Town of Fort Ann LOSAP programs held by Glens Falls National Bank and Trust Company.

RESOLUTION #65-2023

TO HIRE SUMMER RECREATION EMPLOYEE

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

ADOPTED AYES 4 Smith, Stark, Witherell, Hall
 EXCUSED 1 Sexton

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

7:06 p.m. Open Public Discussion

Jo-Jo DeVecchi asked Supervisor Hall why her drainage ditch has not been cleaned out yet?

Supervisor Hall stated that he had no control over that due to Rt. 149 being a state highway, that he would call Eric at the DOT building and see what was going on and when they were planning on coming to fix this.

Kaitlyn Moskos asked Supervisor Hall why do the short-term rentals have a noise ordinance but that the Town of Fort Ann has no noise ordinance Town wide, that she can not tell her renters they need to be quiet by 10p.m. when the neighbors can party all hours of the night.

Supervisor Hall stated her concern was valid and that this issue will be looked at, that this is why the short-term rental laws will not go into effect until January 1st, 2024.

7:16 p.m. Closed Public Discussion

7:17 p.m. Motion was introduced by Councilman Sexton, seconded by Councilwoman Witherell to adjourn.

Motion was carried unanimously.

Total Abstracts for May:	General:	\$ 74,401.61
	Highway:	\$ 34,412.33

Respectfully submitted,

Miranda L. Herringshaw, Town Clerk
Town of Fort Ann, New York

Dated: June 14, 2023