

**MINUTES OF THE REGULAR TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON MONDAY, JULY 12, 2021 AT 6:00 P.M. AT THE FORT ANN TOWN HALL**

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

**ABSENT:** Councilman Michael Sexton  
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, Mark Miller, Enforcement Officer, Michelle Vara, Chad Wilson, Cliff Nelson, Robert Cutter, Floyd Ladd, Joe Terrio, Katelyn Moskos, John Moskos, Bill Barnes, Barb Barnes, Taylor Foran, Shelbie Paulsen, Lorraine Paulsen, Matt French, Penny Gould, Bill Bailey, Mike Dornan, Gene Connell, Rick Dumas, Jason Edwards, Chris Tyler, Jenn Tyler, Mitch Beck

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

Moment of silence was held for past and/or present Fort Ann residents Gerald Stockman and Betsy Graves.

**1.1** Motion was introduced by Councilwoman Stark, seconded by Councilman Smith to approve tonight's agenda.

Motion was carried unanimously.

**1.2** Motion was introduced by Councilman Smith, seconded by Councilwoman Witherell to accept the Regular Town Board Minutes of June 14, 2021.

Motion was carried unanimously.

**1.3** Financial Report for the month of May 2021

**Checking Account Balances**

General Fund	\$154,491.81
Highway Fund	\$ 9,821.59
Youth Commission	\$ 10,454.15
Hadlock Dam Project	\$ 240.09
Hadlock Park District Fund	\$ 7,498.72
Consolidated Health District	\$ 370.48
Trust & Agency Fund	\$ 1,817.39
Medical Reimbursement Fund	\$ 4,600.57

**Savings Accounts**

NYCLASS-General Fund	\$468,282.51
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NYCLASS-Highway Fund	\$972,505.31
NYCLASS-Hadlock Park District	\$205,732.16
LOSAP	\$ 22,903.76

**1.4** Motion was introduced by Councilman Smith, seconded by Councilwoman Stark to pay the bills as warranted and audited.

Motion was carried unanimously.

**2.0 6:02 p.m. Public Comment opened.**

**6:03 p.m. Public Comment closed without comment.**

**3.0 Reports from Town Officials and Committees:**

**3.1 Supervisor’s Report:**

Supervisor Hall stated that there have been talks about CHPE (Champlain Hudson Power Express) running a power line from Quebec to New York City. There are seven (7) towns negotiating this in conjunction with the Warren Washington Industrial Development Agency. This involves a bidding process with the state. This is not a guarantee but it’s possible that over a thirty (30) year period the Town of Fort Ann could receive \$8.7M; Village of Fort Ann \$252,000.00 and Fort Ann Central School \$7M. There will be a resolution later in tonight’s meeting outlining the details and support for this. There are two (2) other organizations/corporations interested in this NYS Power Authority being one (1) of them.

Supervisor Hall received notification from American Relief Plan (ARP) that over the next two (2) years there is \$564,974.00. The list is still being looked through on how to utilize those funds. There are some deadlines: money must be obligated by 12/31/2024, all bills paid 12/31/2026; half the money will come the summer of 2021 and the balance will come summer of 2022. From a financial perspective this is very good for the Town of Fort Ann.

Councilman Smith stated that he reported out at the annual Lake Hadlock Association meeting that they have backed off on the Harvester with weed growth not being very high.

Councilwoman Stark stated that the beach had a slow start with the weather and illness with the lifeguards. Hope to get the beach open all day everyday starting tomorrow. The Recreation swimming lessons are scheduled to start tomorrow.

Councilwoman Stark stated that Joan Degener and Terry Barber will be honored Wednesday at the Adirondack Bar and Grill as state Seniors of the Year.

Councilwoman Stark stated that the bike trail is getting a lot of use.

**3.3 Town Clerk’s Report** was given for June 2021.

**3.4 Highway Superintendent Report:** None

**3.5 Enforcement Officer Report:** The Enforcement Officer distributed a paper copy of his June 2021 monthly report. Supervisor Hall asked what the Camp Removal was under Demo Permit. Mark stated it was for Hadlock.

**3.6 Historian:** Not present but emailed a report stating that she got a report that metal detecting was found at the base of Battlehill. Reenactor came across it on the 8<sup>th</sup> of July. He didn't go further up the hill, as its still private property. Would like permission to have George Sherwood to look around for evidence of more metal detecting further on hill. The Town Board gave permission.

Cemetery on Starbuck keeps popping up. She thinks the cemetery committee should look into this, to make sure it is in Hartford and not Fort Ann. It's real close to line and cemetery book has it in Hartford, but many say it's on Fort Ann taxable land. Veterans supposedly in that cemetery. George, Mike, Dale and Christine would like to at least go look at it and use tax maps to see where it actually is. Supervisor Hall told them to go ahead and research.

Dave Sherwood is having a book signing at Grumbellies July 24, 2021 at 3:00 p.m. and all monies go to the Fort Ann American Legion.

**4.0 New Business:** Supervisor Hall asked the town board for their approval to negotiate with Spectrum for the internet/phone system at the Town Hall. Supervisor Hall stated that the Fort Ann Town Court was experiencing difficulty with the phone lines. Supervisor Hall had the Clerk to the Supervisor contact Spectrum and it is expected to be \$52 month cheaper than the current carrier, magna5. The Town Board agreed to make this change.

**5.0 Old Business:** Nothing to report

**RESOLUTION #53-2021**

**APPROVING (A) THE PAYMENT TERMS AND CONDITIONS OF A CERTAIN PILOT AGREEMENT TO BE ENTERED INTO BETWEEN COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY AND CHPE LLC IN CONNECTION WITH THE CHPE LLC PROJECT AND (B) THE PAYMENT TERMS AND CONDITIONS OF CERTAIN HOST COMMUNITY BENEFIT AGREEMENTS TO BE ENTERED INTO BETWEEN COUNTIES OF WARREN AND WASHINGTON CIVIC DEVELOPMENT CORPORATION AND CHPE LLC IN CONNECTION WITH THE CHPE LLC PROJECT**

On motion of Councilman Smith, seconded by Councilwoman Stark to accept resolution entitled "Resolution Approving (A) the payment terms and conditions of a certain PILOT Agreement to be entered into between Counties of Warren and Washington Industrial Development Agency and CHPE LLC in connection with the CHPE LLC project and (B) the payment terms and conditions of certain host community benefit agreements to be entered into between Counties of Warren and Washington Civic Development Corporation and CHPE LLC in connection with the CHPE LLC Project."

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

**RESOLVED, Section 1.** For the purpose of satisfying the requirements contained in the Agency's Uniform Tax Exemption Policy (the "UTEP Policy) and the Act, the Town Board hereby (1) acknowledges notification of any deviation from the Agency's UTEP Policy, (2) waives any formal notice from the Agency of any deviation from the Agency's UTEP Policy, (3) approves the payment terms to be contained in the PILOT Agreement, as substantially described in Schedule A attached, and (4) approves the

payment terms to be contained in the Host Community Benefit Agreements, as substantially described in Schedule A attached.

Section 2. The Town Supervisor of the Town is hereby authorized, on behalf of the Town of Fort Ann, to execute and deliver a consent to the PILOT Agreement for the purpose of evidencing its approval to the proposed payment terms of the PILOT Agreement, said PILOT Agreement to contain the terms described in Schedule A attached, with such changes, variations, omissions and insertions as the Town Supervisor of the Town shall approve, the execution thereof by the Town Supervisor of the Town to constitute conclusive evidence of such approval.

Section 3. The Town Supervisor of the Town is hereby further authorized, on behalf of the Town of Fort Ann, to execute and deliver a consent to the Host Community Benefit Agreement relating to the Town for the purpose of evidencing its approval to the proposed payment terms of the Host Community Benefit Agreement, said Host Community Benefit Agreement to contain the terms described in Schedule A attached, with such changes, variations, omissions and insertions as the Town Supervisor of the Town shall approve, the execution thereof by the Town Supervisor of the Town to constitute conclusive evidence of such approval.

Section 4. The officers, employees and agents of the Town of Fort Ann are hereby authorized and directed for and in the name and on behalf of the Town of Fort Ann to do all acts and things required or provided for by the applicable provisions of this Resolution in order to ensure compliance with such provisions as they relate to the execution and delivery of the PILOT Agreement and the Host Community Benefit Agreement, and to execute and deliver all such additional certificates, instruments and documents, and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution.

Section 5. This resolution shall take effect immediately.

Robert Cutter, President West Fort Ann Volunteer Fire Company, stated they need to replace a 1990 truck which is 22 years old. Mr. Cutter stated that it's hard to find parts with the truck being 22 years old. They recently waited ten (10) months for two (2) switches and paid \$26,000.00 in repairs. They are requesting a public hearing. Supervisor Hall told them this would have to be presented and discussed during the 2022 budget.

**7.0** Open Public Discussion at 6:21 p.m. Matt French, 1347 Copeland Pond Road stated he is concerned with occupancy levels from a septic standpoint.

Jenn Tyler, Dewey's Bridge said she has mixed feelings about the short-term rental law being considered in the Town of Fort Ann. She said there should be some sort of tax when there is commercial property in residential area and the extra traffic. She's very frustrated with someone being on the Fort Ann Planning Board that has commercial property in a residential area. She said the town has been fair when she and her husband came to the town about subdivision.

Katelyn Moskos asked where did this law come from? She asked if she's such a nuisance to the town why wasn't this brought to her attention. Supervisor Hall stated that there's an issue on Clay Hill Road as well as a couple of issues at Pilot Knob. Supervisor Hall stated this started before he was the Town of Fort Ann Supervisor. Katelyn doesn't understand why no one came to her and nothing brought to her

attention that is all she asks that if there are problems/issues/complaints to please contact her. Katelyn said she can't fix things unless she knows about what needs to be addressed. Supervisor Hall stated the only time he spoke to Katelyn was when he began as Chairman of the Board at Washington County and it was about COVID and it not being a good time to come to Fort Ann or Washington County. Katelyn did not remember speaking with Mr. Hall.

Supervisor Hall stated that the issues were voiced at the last town board meeting with regards to noise; overcrowding; parking. Supervisor Hall told Katelyn that when complaints come in there will be someone to contact her. Katelyn stated that if she is made aware of complaints they are taken care of in 5 minutes. Supervisor Hall told Katelyn that the proposed Local Law Regulating Short-term Rentals is just in DRAFT form. Supervisor Hall and Katelyn agreed not to argue. Supervisor Hall stated that if/when this goes to Public Hearing she and others in the town will have an opportunity for input.

Supervisor Hall said he's not going to tell Katelyn how to run her business. Katelyn stated that her rental agreement is stricter than the proposed Short-term rental agreement. Katelyn stated she is upset with how Supervisor Hall conducted himself on the May town board video by referring to her as the wild west. Katelyn wants this brought down to a respectful level and she wants to be made aware of complaints.

Jenn Tyler asked if a couple of community members could work on the DRAFT. Supervisor Hall said this is not aimed at Hadlock. Supervisor Hall stated they were made aware of a situation on Clay Hill with regards to fire and discharge of arms. Supervisor Hall stated the NYS Police came but because there was no local law or ordinance there was nothing that could be enforced.

**7.0 Closed Public Discussion** at 6.54 p.m.

**8.0** Motion was introduced by Councilman Smith, seconded by Councilwoman Witherell to adjourn at 6:55 p.m.

Motion was carried unanimously.

Total Abstracts:	General:	\$ 18,275.11
	Highway:	\$176,171.66
	Hadlock Park District:	\$ 2,346.17

Respectfully submitted,

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

Dated: July 24, 2021