

MINUTES OF THE REGULAR TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON MONDAY, August 15, 2022 AT 6:00 P.M. AT THE FORT ANN TOWN HALL

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

ABSENT: Councilwoman Gretchen Stark
Christine Milligan, Town Historian
Jeff Meyers, Town Attorney

OTHERS PRESENT: Miranda Herringshaw-Town Clerk, Mark Miller-Enforcement Officer, Paul Winchill-Highway Superintendent, Arek Gordon-Town Assesor, Laura Chadwick-Director of Washington County Real Property Tax Service, Chad Wilson, Katelyn Moskos, John Moskos, Shelbie Paulson, Tim Kontogouri, Wendy Kontogouri, Jenny Hartsman, Steve Wade, Jeff Pepper, Lori Hagen, J. Devecchi,

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 Mildred "Milly" Baldwin.

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

Motion was carried unanimously.

Motion was introduced by, Councilman Smith seconded by Councilwoman Witherell to accept the Regular Town Board Minutes of July 19, 2022.

Motion was carried unanimously.

Supervisor Hall read the June 2022 monthly financial statement.

Receipts for the month of June

Checking Account Balances

General Fund	\$ 153,033.75
Highway Fund	\$ 107,782.33
Youth Commission	\$ 6,875.04
Hadlock Dam Project	\$ 240.09
Hadlock Park District Fund	\$ 17,618.74
Consolidated Health District	\$ 370.48
Trust & Agency Fund	\$ 770.25
Medical Reimbursement Fund	\$ 3,084.45

Savings Accounts

NYCLASS-General Fund	\$ 889,821.07
NYCLASS-Highway Fund	\$ 693,754.55

NYCLASS-Hadlock Park District \$ 176,052.25

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

Motion was carried unanimously.

6:03 p.m. Public Comment opened.

6:04 p.m. Public Comment closed without comment.

Supervisor's Report:

Supervisor Hall stated that he dealt with many concerns this month, which included the, Fort Ann Beach, coordinated with OC West on a plan for swim lessons with the summer rec program- due to unforeseen circumstances, solar farms, short term rentals, and complaints about the jake brakes on Rt. 149, which he stated was out of the town's control.

He received a call about one of the buoys at the Fort Ann Beach, it had filled with water and had sunk, so he and Councilman Sexton took care of this issue and reported back to the NYS Department of Health that it was corrected as of today.

It was brought to his attention that it is the Town's responsibility to keep the heads of the bike trails mowed, and trees kept back from the trail and that Paul Winchill was putting a plan in place to keep the trails maintained regularly.

Supervisor Hall asked Mark Miller where we stood on the Needhamville Road property, Mark stated that he had been in contact with the owners of the property and that they have been in contact with the county to get all necessary inspections in order, so when their mortgage loan gets approved, they can begin the rebuild on the property, they are working on having water turned on along with a new septic system put in place, and the miscellaneous items in the yard (box truck and trailer) are being sold. Supervisor Hall asked if they had been in contact with the planning board, as of yet due to the obvious fact they are using the property as a commercial property. Mark stated that he was not at the last planning board meeting and is unsure.

Supervisor Hall stated he spoke with Jon Lashinsky, Fort Ann fire chief about the drone that Ms. Hartsman was also concerned with at the July board meeting and Jon assured Supervisor Hall it was not Dan Laskinsky's drone, he believes it is another neighbor that visits on the weekends. Supervisor Hall instructed Ms. Hartsman to reach out to the FAA about the drone, she said she had and due to the fact that she hasn't seen the drone again, the case on was closed with the FAA.

Councilwoman Witherell stated that she would like Paul Winchell to pick up the kayak docks and have it brought back from Fort Edward, so we know where it, and leave it stored down by the canal where the other dock is.

Councilman Sexton stated he spoke with the Dan Lashinsky about the fire work concern that his neighbor brought to the July board meeting, and asked him if he and his neighbor could try to come to a resolution that both would be happy with, it was left in an understanding that the neighbors would try to work out an agreement.

Councilman Smith stated the weed harvester has been very busy and has harvested 26,000 pounds of weeds from the Hadlock Lake, which is three times more than they harvested last year. The harvester will be down this week for routine maintenance.

Also gave an update on Councilwoman Stark that she is doing well and should be home Wednesday.

Town Clerk's Report was given for July 2022.

Highway Superintendent Report: Stated that the town has been busy preparing roads for paving. Nicholson Road paving should be done tomorrow and they will be paving Tripoli Road Wednesday and Thursday.

Enforcement Officer Report Paper report given to Town Board Member's for July 2022.

Historian: Not present

Dog Control Officer: Not present, report was read by Supervisor Hall.

4.0 Old Business:

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

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

5.0 New Business

5.1 Annual Reassessment presentation- Laura Chadwick- Director of Washington County Real Property Tax Service, Laura Kamburelis- Data Collector, Arek Gordon-Assessor

Laura Chadwick stated that Washington County will be doing a reassessment of Fort Ann homes due to the last true re-assessment being done in 2008-2009, leaving the Town of Fort Ann at only an 85% equalization rate, the goal is to get that to 100% and continue to update yearly so we will not continue to see these big increases, rather have small increases as the years go on and cost of living increases, etc. With only being at an 85% equalization rate this effects the amount of state aid that is given to the town for school budgets and the STARS program among other things that the Town of Fort Ann receives state aid for. If the equalization rate continues to drop at some point the state could construct the reassessments, which is not what would be most beneficial to the town and the residents of the Town.

Last year the reassessment values were based on trending data and this year will be a much more detailed look into the reassessment of each property.

Laura Kamburelis is the data collector and she will be going around house to house taking pictures of the outside of your home, she will knock on the door if no one is home she will leave a business card with her information on it so you will know if anyone has been to your home. The biggest factor of the reassessment values on residential property will be based on sales in our area of what homes are being sold for. This will bring Fort Ann up to a uniform standard assessment.

Laura Chadwick stated that the assessor's office will be sending out data mailers to update information to make sure that the assessments are accurate. If the data mailers are accurate there is no need to send them back.

All data should be back to the assessor by November 1st 2022 and letters will start going out with new assessment values (plus or minus), at the beginning of the new year. Appointments can be made with the assessor, Arek Gordon on Tuesdays from 10-4 at Town Hall, to have informal hearings to review the data and discuss any questions or concerns before grievance day.

Councilman Smith stated that properties on Hadlock Pond are being sold for well over what the home is assessed at and wants to know how this will affect those who own homes in that area, that have no intention of selling. Laura Chadwick stated values of homes are determined based on a number of different things not solely on what your neighbors' properties are selling for.

Councilwoman Witherell stated this is unfair to do, that your houses value should not increase due to what your neighbor is selling their properties for.

Supervisor Hall stated that your taxes are not determined by your homes assessment, taxes are based on the school and town budgets.

RESOLUTION #76-2022

RESOLUTION FOR COMMITMENT TO PARTICIPATE IN TOWN REVALUATION

On Motion of Councilman Sexton, seconded by Councilwoman Witherell to accept resolution entitled "Resolution for commitment to participate in town revaluation"

ADOPTED AYES 4 Smith, Sexton, Witherell, Hall

RESOLVED, that the Town of Fort Ann agrees to commit to be a participant in the Town revaluation project; and The Town of Fort Ann will sign a contract between the Town and Washington County.

RESOLUTION #77-2022

RESOLUTION TO MODIFY THE 2022 BUDGET BY TRANSFERRING FUNDS FROM THE CONTINGENCY FUND TO SPECIFIED ACCOUNTS DUE TO UNANTICIPATED EXPENDITURES IN THOSE ACCOUNTS DURING THE 2022 FISCAL YEAR

On motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled "Resolution to modify the 2022 budget by transferring funds from the contingency fund to specified accounts due to unanticipated expenditures in those accounts during the 2022 fiscal year"

ADOPTED AYES 4 Smith, Sexton, Witherell, Hall

RESOLVED, the 2022 budget shall be modified by transferring funds from the contingency fund to the accounts as indicated above.

RESOLUTION #78-2022

RESOLUTION TO MODIFY THE 2022 BUDGET BY TRANSFERRING FUNDS BETWEEN APPROPRIATIONS TO COVER SHORTAGES IN SPECIFIED ACCOUNTS DUE TO UNANTICIPATED EXPENDITURES DURING THE 2022 FISCAL YEAR

On motion of Councilman Smith, seconded by Councilman Sexton to accept resolution entitled "Resolution to modify the 2022 budget by transferring funds between appropriations to cover shortages in specified accounts due to unanticipated expenditures during the 2022 fiscal year"

ADOPTED AYES 4 Smith, Sexton, Witherell, Hall

RESOLVED, the 2022 budget shall be modified by transferring funds between appropriation accounts as indicated above.

RESOLUTION 79-2022

RESOLUTION AUTHORIZING THE CREATION OF AN AD HOC COMMITTEE TO EXAMINE THE REGULATION OF SHORT-TERM RENTALS IN THE TOWN OF FORT ANN

On motion of Councilman Smith, seconded by Councilman Sexton to accept resolution entitled "Resolution authorizing the creation of an ad hoc committee to examine the regulation of short-term rentals in the Town of Fort Ann"

ADOPTED AYES 3 Smith, Sexton, Hall
 No 1 Witherell

RESOLVED, the Town Board hereby authorizes the creation of an ad hoc Short-Term Rental Advisory Committee to be tasked with the following purpose:

- To examine the stated purpose and intent of the proposed local laws, which is to balance the public health, safety and well-being of the community as evidenced through the sense of privacy, community, and ambience enjoyed by the residents of the Town of Fort Ann, against the economic incentives and rights of the property owners;
- To evaluate the two proposed local laws, including the applicable regulating language, to determine whether the potential adverse impacts are adequately addressed while still permitting short-term rentals;
- To issue recommendations, complete with proposed language, to the Town Board of the Town of Fort Ann that regulates short-term rentals in the Town of Fort Ann.
- The recommendations of the Committee shall be based upon the information gathered and in accordance with the stated concerns of the residents of the Town of Fort Ann.

RESOLVED, the Town Board hereby appoints the following residents of the Town of Fort Ann to the Committee as follows:

- Richard Moore, Chair
- Michael Sexton
- Shelbie Paulson
- Cliff Nelson
- Cathy Matier
- Mary Davis

Ex Officious Member: Samuel J. Hall who shall serve as a nonvoting member unless there is a tie. and be it further

RESOLVED, that this shall take effect immediately.

6:36 p.m. **Open Public Discussion**

Chad Wilson commented and asked how many of the ad hoc committee members have owned or still own business. Supervisor Hall replied and said there are a few that are business owners and some that have no business that are strictly residents that he tried to make the committee as fair as possible for both owners of short-term rental properties and community members.

Laura Chadwick wanted the Town to be aware that the old town landfill has recently been purchased by a new individual and they were inquiring about putting a new gate up, Laura directed them to the DPW.

Tim Kontogouri stated that he was at the July board meeting requesting a variance for his camper on his property while he builds his home, and wanted to know what the status was on the variance. Supervisor Hall asked if he had filled out all applicable paper work, which he replied yes. Councilman Sexton stated that we were waiting on the Town Attorney to let us know how to proceed forward, and that the Town would be in contact with Mr. Kontogouri as soon as possible.

6:57 p.m. **Closed Public Discussion**

6:58 p.m. Motion was introduced by Councilman Sexton, seconded by Councilman Smith to adjourn.

Motion was carried unanimously.

Total Abstracts for June:	General:	\$ 56,216.53
	Highway:	\$150,804.73

Respectfully submitted,

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

Dated: August 19, 2022