

MINUTES OF THE REGULAR TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON MONDAY, SEPTEMBER 13, 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
Lisa Barbato, Dog Control Officer
Christine Milligan, Town Historian

OTHERS PRESENT: Barbara Winchell, Town Clerk, Jeffrey Meyer, Attorney for the Town, Lucy Burch, Richard Burch, Fred Burch, Joan Degener, Barb Burch, Duane Burch, Katelyn Moskos, John Moskos, Shelbie Paulsen, Tim Stachnick, Jeff Pepper, Lori Hagen, Penny Gould, Bill Bailey

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

Moment of silence was not necessary this evening.

Motion was introduced by 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 Minutes of August 9, 2021.

Motion was carried unanimously.

Supervisor Hall read the July 2021 monthly financial statement.

Checking Account Balances

General Fund	\$334,358.76
Highway Fund	\$ 15,381.68
Youth Commission	\$ 7,020.57
Hadlock Dam Project	\$ 240.09
Hadlock Park District Fund	\$ 10,216.91
Consolidated Health District	\$ 370.48
Trust & Agency Fund	\$ 1,675.87
Medical Reimbursement Fund	\$ 3,756.07

Savings Accounts

NYCLASS - General Fund	\$468,307.79
NYCLASS - Highway Fund	\$602,548.55
NYCLASS - Hadlock Park District	\$195,743.11
NYCLASS -LOSAP	\$ 22,905.67

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

Motion was carried unanimously.

6:02 p.m. Public Comment opened with agenda items

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

Reports from Town Officials and Committees:

Supervisor Hall stated that he is getting things in order for the upcoming budget workshops. Working on information that the town may be eligible for grants for Battle Hill. Looking at stimulus funds and seeing what the town is actually eligible to be reimbursed for and what could be used for future projects.

Supervisor Hall stated COVID has affected us here in the Town of Fort Ann with the highway department having one (1) individual out with COVID and two (2) on quarantine. The counts in Fort Ann keep going up. Even when vaccinated there are what are called breakthroughs but people that are vaccinated are not so ill as those that are not vaccinated. Still would like to see as many people as possible get vaccinated.

4.0 Old Business: Supervisor Hall stated there was nothing new to report on:

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

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

Councilwoman Stark stated the beach is officially closed as of Labor Day.

Councilwoman Stark thanked the Highway Department for painting lines at the Fort Ann/Pilot Knob Beach parking lot and making parking better there. Also, thanked the Highway Department for making a storage box to keep the rescues board in.

Councilwoman Stark stated there were between 25-30 children that participated in swimming lessons. She wanted to thank the Rec. Director, OC West, and said the counselors were excellent this year. She also wanted to thank the Old Stone House Library for their participation in the Summer Recreation program.

Councilwoman Stark said the bike trail is being used and seems to be very popular. She's heard a lot of comments.

Councilwoman Stark stated she attended an Office for the Aging meeting this morning. The meal sites in Cambridge and Hudson Falls are still open. The meal site in Whitehall has been closed for the time being.

Councilwoman Stark stated there was a report on elder abuse and she has a phone number if anyone needs it.

She stated that restaurant tickets are still for sale. She also has nomination sheets for Senior of the Year: one (1) sheet for a Senior Man and one (1) sheet for a Senior Woman.

Councilwoman Stark stated on September 25, 2021 there will be a Sasquatch event being held in Whitehall and they will be promoting the bike trail and other activities.

Councilman Sexton followed up with the Fort Ann Fire Company on their audit with the budget coming up.

Councilman Smith and Supervisor Hall are looking at whether the Harvester should be sandblasted and painted or taken out of Hadlock. Once quotes are received a decision will be made.

Town Clerk's Report was given for August 2021. The Town Clerk announced that Lisa Barbato, Dog Control Officer will be on vacation from 9/18/2021 to 9/26/2021. The Town of Kingsbury Dog Control Officer, Todd Humiston, will be covering her area.

Highway Superintendent Report: Not present but Supervisor Hall stated once they have a full crew they will be working on paving Sly Pond Road that the prep work has been completed.

Enforcement Officer Report was given for July and August 2021.

Historian: Not present and sent an email to the Town Clerk that there was nothing to report.

Supervisor Hall went back to Old Business and asked if anyone had anything on "A Local Law Regulating Short-Term Rentals in the Town of Fort Ann" and/or "A Local Law Amending the Town of Fort Ann Site Plan Review." There was nothing so Supervisor Hall moved on to New Business.

5.0 New Business - Local Law No. 2 of 1990 – Solid Waste Management Administration and Fees.

Supervisor Hall asked the Attorney for the Town, Jeff Meyer, to explain in detail this Local Law. Mr. Meyer stated that among many different things this Local Law does it regulates and prohibits locating a dump or landfill and prohibits the disposal of waste which is broadly defined and broken down into a number of many categories in the Town of Fort Ann. Driving the current discussion is it prohibits sewage, sludge and septic specifically prohibits the land application in the Town of Fort Ann. This is becoming a bigger and bigger issue locally as different agricultural companies that utilize, treat and make the fertilizer. Some municipalities such as Hartford and Fort Ann prohibit but the Town of Kingsbury doesn't. The Local Law has been in place for over thirty (30) years in the Town of Fort Ann and it is straight prohibition. Mr. Meyer stated it's his understanding this is on the agenda because this was spoke about briefly at the August Town of Fort Ann Board meeting because there's at least one (1) farmer that wants to use this type of fertilizer which is prohibited by this local law.

Supervisor Hall asked Lucy and Richard Burch to speak about whether the local law should be amended or not. Mrs. Burch said she was led to believe this product does not fall under the criteria defined in the Fort Ann Local Law so did the Local Law need to be amended. Mrs. Burch said NYS Ag & Markets approves the use of this product. It is an approved agricultural practice Mrs. Burch said use of this product has been going on for years, some farmers have used it knowingly and some probably not knowingly. Mrs. Burch provided the Town Board Member's with a GHS Safety Data Sheet NEFCO that

has sixteen (16) sections from product and company identification, hazards identification, composition/information on ingredients (paper copy available from Town Clerk) to other information. She said the use of this fertilizer is customary and going on for years. She said it's been tested by multiple universities. She said this is a very reasonable priced fertilizer product for farmers to use. Supervisor Hall asked Mrs. Burch about storage and application. Mrs. Burch said they order it, it is delivered based on an estimate according to how many acres you have and approved practices. According to Mrs. Burch DEC said it was not illegal and further that the DEC said the Hartford Town Supervisor should go along and leave farmers alone. Mrs. Burch said this is a treated, granulated, slow release – no run off - product applied one (1) time per year per guidance.

RESOLUTION #55-2021

REAPPOINTING A MEMBER TO THE BOARD OF ASSESSMENT REVIEW

On motion of Councilman Smith, seconded by Councilwoman Witherell to accept resolution entitled "Resolution Reappointing a member to the Board of Assessment Review."

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

RESOLVED, that William Hohmann is hereby reappointed as a Member of the Fort Ann Board of Assessment Review for a term extending from October 1, 2021 through September 30, 2026.

RESOLUTION #56-2021

APPROVING CDPHP HMO SILVER – 324

On the motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled "Resolution Reappointing a Member to the Board of Assessment Review."

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

RESOLVED, that upon due deliberation of the available policies taking into account the employee's needs, the available coverages and the costs associated therewith, the Town Board of the Town of Fort Ann approves CDPHP HMO Silver – 324 and having CDPHP HMO Silver – 324 as the health insurance administrator effective December 1, 2021.

6:33 p.m. **Opened Public Discussion**

6:34 p.m. **Closed Public Discussion** without anything being brought forth.

6:35 p.m. motion was introduced by Councilman Sexton, seconded by Councilman Smith to adjourn.

Motion was carried unanimously.

Total Abstracts:	General:	\$ 7,830.83
	Highway:	\$21,534.99
	Hadlock Park District:	\$ 532.61

Respectfully submitted,

Barbara J. Winchell, Town Clerk

Dated: September 24, 2021

Town of Fort Ann, New York