

MINUTES OF THE REGULAR TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON MONDAY, APRIL 8, 2024 AT 6:00 P.M. AT THE FORT ANN TOWN HALL

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

ABSENT: Councilwoman Deborah Witherell

OTHERS PRESENT: Miranda Herringshaw-Town Clerk, Jeffrey Meyer-Attorney for the Town, Paul Winchell-Highway Superintendent, Mark Miller- Enforcement Officer, Barb Burch, Duane Burch, Duane Burch Jr., John & Katelyn Moskos, Curtis Rhem, Steve Wade

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 residents: Paul Henry & Dianne Lovett

On motion of Councilman Sexton, seconded by Councilman Smith to approve tonight’s agenda.

Motion was carried unanimously.

Motion was introduced by Councilman Smith, seconded by Councilwoman Stark to accept the Regular Town Board Meeting Minutes from March 11th, 2024.

Motion was carried unanimously.

Supervisor Hall read the February 2024 monthly financial statement.

Checking Account Balances

General Fund	\$109,682.17
Highway Fund	\$43,202.80
Youth Commission	\$6,077.06
Hadlock Dam Project	\$240.09
Hadlock Park District Fund	\$2,062.64
Consolidated Health District	\$370.48
Trust & Agency Fund	\$3,714.69
Medical Reimbursement Fund	\$5,725.75

Savings Accounts

NYCLASS-General Fund	\$1,314,172.24
NYCLASS-Highway Fund	\$1,177,479.45
NYCLASS-Hadlock Park District	\$245,050.57
NYCLASS-Hadlock Park Reserve	\$ 50,371.38

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

Motion was carried unanimously.

6:04 p.m. Public Comment opened for items listed on tonight's agenda.

6:05 p.m. Public Comment closed without comment.

Supervisor's Report:

Supervisor Hall- Stated that the grant for the Old Stone Houe Library was approved and that the organization that donated the money will be coming in May to look at the library and take some photos and place a sign out front of the library, we have currently only received one bid for the work at the library, we should receive three bids but if we are unable to find any other bidders the bid will have to be awarded to the one bidder who was interested.

The working group committee for the Local Law regarding solar energy will be put in place in the coming month and the plan is to be that they will have their first working group meeting by the end of April, so we can begin the Local Law regarding the solar energy.

Hadlock Dam insurance has increased 7% since last year.

Town Board Member's Report:

Councilwoman Witherell- Excused

Councilman Sexton- No new news on the prison closure.

Councilman Smith- Stated that he attended the first Hadlock Association meeting of the year, and that the Association has decided to start sending out a quarterly news report and that they will have a spot for the Town to add information to the report as well.

Councilwoman Stark stated that on April 22nd, 2024 there will be a canal cleanup day starting at 9 A.M., any and all are welcome to help clean the canal way to get ready for the upcoming spring and summer months.

The Community Connections newspaper will be available in Town Hall, this newspaper has many activities listed and has a lot of good information.

Town Clerk's Report was given for March 2024.

Highway Superintendent Report: The Highway Superintendent reported they have been cleaning up brush, chipping trees, grading the roads; sweeping of the roads will continue once we get some rainy weather.

Enforcement Officer Report: Paper report was given for March 2024.

Dog Control Officer: Paper report was given for the month of March.

Historian: Not Present

Old Business: N/A

New Business: N/A

RESOLUTION #47-2024

AUTHORIZING SUPERVISOR TO EXECUTE CONTRACT WITH NYS DEC TO YORK RAKE SHELVING ROCK PARKING LOTS TRASH COLLECTION AND YORK RAKE DACY CLEARING ROAD

On motion of Councilwoman Stark, seconded by Councilman Sexton to accept resolution entitled "Resolution Authorizing Supervisor to Execute Contract with NYS DEC to York Rake Shelving Rock Parking Lots, Trash Collection and York Rake Dacy Clearing Road."

ADOPTED AYES 4 Sexton, Smith, Stark, Hall

RESOLVED, the Town Supervisor is hereby authorized and directed to execute any and all agreements and related documents associated there with the NYS Department of Environmental Conservation, to York Rake Shelving Rock Parking Lots, trash collection and York rake Dacy Clearing Road.

RESOLUTION #48-2024

APPOINTING DIRECTOR OF 2024 SUMMER RECREATION PROGRAM

On motion of Councilman Sexton, seconded by Councilman Smith to accept resolution entitled "Resolution appointing Director of 2024 Summer Recreation Program.

ADOPTED AYES 4 Sexton, Smith, Stark, Hall

RESOLVED, that the Fort Ann Town Board hereby appoints Tara Monroe & Chrstina Wilson as the 2024 Director of Summer Recreation Program at an annual salary of \$4,000.00.

RESOLUTION #49-2024

APPOINTING 2024 VOLUNTEER LIFEGUARD

On motion of Councilman Sexton, seconded by Councilman Smith to accept resolution "Appointing 2024 volunteer lifeguard."

ADOPTED AYES 3 Sexton, Smith, Hall
 ABSTAIN 1 Stark

RESOLVED, that the Fort Ann Town Board does hereby appoint Gretchen Stark, 364 Hadlock Pond Road, Fort Ann, New York 12827 to serve as a volunteer, without compensation of any sort, as a lifeguard for the summer of 2024.

RESOLUTION #50-2024

AUTHORIZING THE HIGHWAY SUPERINTENDENT TO CONTRACT WITH WASHINGTON COUNTY FOR THE MOWING OF HIGHWAYS

On motion of Councilman Smith, seconded by Councilwoman Stark to accept resolution entitled "Resolution Authorizing the Highway Superintendent to contract with Washington County for the mowing of Highways."

ADOPTED AYES 4 Sexton, Smith, Stark, Hall

RESOLVED, that the Town Board of the Town of Fort Ann hereby approves the agreement and authorizes Paul Winchell, Highway Superintendent, to sign said agreement and file a copy of the agreement in the Town Clerk's Office.

RESOLUTION #51-2024

LAKWOOD HOMEOWNER'S ASSOCIATION COMMUNITY SEPTIC SYSTEM

On motion of Councilman Sexton, seconded by Councilman Smith to accept resolution "Lakewood Homeowner's Association Community Septic System"

ADOPTED AYES 4 Sexton, Smith, Stark, Hall

RESOLVED, the Town Board of the Town of Fort Ann hereby rejects the offer to serve as permittee and/or operate or otherwise manage the community septic system serving the Lakewood Homeowner's Association and the Town Board of the Town of Fort Ann hereby authorizes the Supervisor to notify the Lakewood Homeowner's Association and the DEC that the Town will not serve as permittee nor will it be responsible for operating the community septic system.

RESOLUTION #52-2024

RESOLUTION FOR SPEED LIMIT REDUCTION

On motion of Councilman Sexton, seconded by Councilman Smith to accept resolution "For speed limit reduction"

ADOPTED AYES 4 Sexton, Smith, Stark, Hall

RESOLVED, that the Town Board of the Town of Fort Ann hereby accepts and approves the request for a speed reduction for County Route 17A in the Town of Fort Ann, New York

RESOLUTION #53-2024

AUTHORIZATION APPROVING CORONAVIRUS STATE AND LOCAL RECOVERY FUND DISBURSEMENT

On motion of Councilman Smith, seconded by Councilwoman Stark to accept resolution entitled "Authorization approving coronavirus state and local recovery fund disbursement"

ADOPTED AYES 4 Sexton, Smith, Stark, Hall

RESOLVED, the Town Board of the Town of Fort Ann hereby approves the one-time payments of ARPA funds as set out, and that the Town Board hereby authorizes and directs the Town Supervisor and or the Town Budget Officer, amend agreements, execute checks and documents, and take all necessary steps to disburse these funds.

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

Town Clerk Read an update on the Town Wide Reassessment Process- it as follows and this was read word for word in its entirety, what is stated below;

Reassessment Update April 8, 2024

- The Assessor will be out in the town in the upcoming weeks reviewing properties. This will include building permits, buildings that were built without permits, and reviewing data from preliminary review appointments.
- The preliminary review appointment process is now over. The tentative assessment roll will be published on May 1, 2024. This will be available at Town Hall as well as on the town website under the assessor's page. Property owners will receive letters with the assessor's determination and any other changes the first week of May. If property owners do not receive another letter that most likely means their value did not change from the preliminary, but they should still review the tentative assessment roll because that is the official document.
- The next step in the assessment process is the formal grievance. This can be done by anyone in the town whether they went through the preliminary review process or not.
 - Form RP-524 which can be found on the town website starting May 1st or on the state website must be filled out and filed with the Assessor or the Board of Assessment review by the end of grievance night on May 28, 2024 from 4 to 8 PM.
 - Grievance night will be by appointment. Property owners may start making appointments starting May 1st by contacting the assessor. There may be appointments after May 28, but form RP-524 must be turned in by the end of grievance night on May 28. In order to schedule an appointment, the assessor must receive a filled-out RP-524.
- If you have any questions regarding this process or the assessments, please contact the assessor by calling town hall (518) 639-8929 ext. 103 or emailing assessor@townoffortannny.com.

Lyle Washburn stated his dismay with the entire reassessment process and how it has all been handled and that Assessor Arek Gordon should not be done accepting preliminary appointments and that he should be seeing residents right up until grievance day.

Supervisor Hall stated that there is a process to be followed and the reason for Arek shutting down preliminary appointment is due to the fact that paperwork needs to be filed and turned into the state by April 15, 2024.

Resident Curtis Rhem prepared a letter to be read to the Town Board Members and stated he would like the letter to be included in the minutes in its entirety. The letter that was read is as follows;

Mr. Hall and Town Board Members:

I, Curtis Rhem, a resident, landowner, and taxpayer in the Town of Fort Ann, New York am voicing my objection to the town-wide reassessment as being true and accurate across all properties in the Town of Fort Ann.

You may recall, I previously brought up the fact that a town-wide reassessment done by a third party had not been performed since 2003, which was conducted by Maxwell Associates. Maxwell Associates conducted a complete survey and inventory of the entire 3,029 parcels within the town at that time. There was a corrective action taken by the Town Assessor and Maxwell Associates between 2005 and 2006 which brought the town back up to a 100% equalization rate.

In 2008, for 2009 fiscal year, an inhouse reevaluation was conducted by Assessor Pierce. That being said, of the 3,029 parcels surveyed in 2005, there have been 256 properties added to the town tax roll. My question (and a major concern) for the Town Board is this: of the 256 properties and any other property that had improvements completed, has the current and any previous Town Assessor done a proper physical property inventory? You would assume it would be conducted during this 100% reassessment to confirm building numbers, square footages, and other physical characteristics of the property. Digging deeper into the process, I discovered that the Washington County Code Enforcement issues a monthly report on finished projects in the county and it is up to the local assessor to review the report and to do his due diligence at the town level, is this being done?

An additional concern that I have is the inventory pictures on the Washington County Image Mate website many of which are not updated or current, and numerous pictures are as old as June 2, 1998. Why have these not been updated in over 25 years?

My final concern has to do with my informal review with the assessor. At a previous Town Board meeting it was stated By Supervisor Hall 2 years ago that the state would not accept a reevaluation because they felt that sales were inflated due to the COVID-19 pandemic. The informal review that the assessor presented to me contained five comparable properties to mine. Of the five properties, all were located in West Fort Ann, which as you all know is a more desirable and sought after area (my home is located on the east side of the canal). Moreover, four of the five were sold during the height of the pandemic which officially began in March of 2020 and ended in May of 2023. The dates that the aforementioned properties sold were:

November 12, 2019,
June 24, 2021,
August 11, 2021
August 23, 2021
March 15, 2023

This directly contradicts the statement made by Supervisor Hall that the state “would not accept the reassessment 2 years ago because of inflated sale prices.” I was told the reassessment was based on sales, conducted while sitting at a desk, how does the assessor know what the interior upgrades, updates and finishes are on sold properties which are large price and selling factors, along with the location versus homes not on the market. The assessor is making an assumption that all homes are of equal updated interior quality, and therefore pricing them all at the same dollar per square foot value, which is flawed. In my circumstance, my home has not been updated since it was constructed in 2002. This is not being taken into account as far as the “sales based” reassessment is concerned.

In closing, I do not feel that this reevaluation is true and accurate and done 100% across the town and therefore not being reflective and fair to all taxpayers in the town whose properties are fully updated. I ask is the 2024 preliminary assessment roll a legal document and if so, has it been filed with the inconsistencies which were previously brought to your attention? At the very least I expect my questions and concerns to be addressed and formally answered in a timely manner.

I thank you for your time and allowing me to voice my concerns and respectfully request that this letter be reflected and recorded in the minutes in its entirety.

Sincerely,

Curtis B. Rehm
Homeowner
Fort Ann, New York

Supervisor Hall received a copy of the letter above and will get the correct answer to the above questions.

7:12 p.m. **Closed Public Discussion**

7:13 p.m. Motion was introduced by Councilman Smith, seconded by Councilman Sexton to return to public session and to adjourn.

Motion was carried unanimously.

Total Abstracts:	General:	\$ 13,097.73
	Highway:	\$ 17,206.64
	Hadlock:	\$ 68,533.00

Respectfully submitted,

Miranda Herringshaw, Town Clerk

Dated: April 10, 2024