

**MINUTES OF THE REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF FORT ANN  
HELD APRIL 13, 2015 AT THE TOWN HALL COMMENCING AT 7:00 P.M.**

**PRESENT:** Supervisor Darlene Z. Dumas  
Councilwoman Gretchen R. Stark  
Councilman Howard Denison  
Councilman Floyd Varney  
Councilwoman Deborah Witherell

**OTHERS PRESENT:** Paul Winchell, Highway Superintendent, Jeff Meyer, Town Attorney, Helen Denno, Confidential Secretary to the Supervisor, Barbara Winchell, Town Clerk, Bill Bailey, Mark Miller, Enforcement Officer, Virginia Parrott, Historian, Dale Grinnell, Christine Milligan, Dave Dumas, Don Ballard, Anne & Bill Wilcox, Kevin Hayes, Wash. Co. Administrator, Richard Moore, Charles Sellitti, Arlene Green, Don Ballard, George Sherwood, Joan Degener, Virginia & Richard Parrott, Barbara Eagle, Tim Stachnick, Denny Fletcher, Jenn Tyler

Meeting was called to order at 7:04 p.m. with the Pledge of Allegiance to the Flag led by Councilman Varney. A moment of silence for deceased Fort Ann residents, Marion Ritter, Donald Wilson, Louis Navarro and Margaret Wells. A moment of silence for Maureen VanBuren who was not a Fort Ann resident but worked and served the Fort Ann community as School Superintendent.

Motion was introduced by Councilwoman Witherell, seconded by Councilman Varney to accept the minutes of the Regular Town Board Meeting of March 9, 2015.

Motion was carried.

Motion was introduced by Councilwoman Stark, seconded by Councilwoman Witherell to pay bills as warranted and audited. Councilman Denison stated he has a list of bills he is making exception to and that he did not initial. He will give the list to the Bookkeeper, Helen Denno, to make copies for him to further review.

Motion was carried.

Supervisor's Report: The Agenda for tonight's Town Board meeting and the March financial report have both been uploaded to the Town's website. A paper copy is available upon request. Both are also available on the 2015 Town Board meetings page. Tonight's Board meeting will include:

- A presentation on the County Tax Freeze Rebate Efficiency Plan
- A resolution approving the Fort Ann Emergency Plan
- Two resolutions moving money as a result of Assessor
- Three resolutions regarding Lake Hadlock
- A resolution appointing a planning board member

- A resolution appointing a Director for the Summer Recreation Program

The Property Tax Freeze Credit is a two-year tax relief program that reimburses qualifying New York State homeowners for increases in local property taxes on their primary residence. In order for the credit to be available to the homeowners in our town, our town must comply with the New York State Property Tax Cap and, after the first year, must also develop an efficiency plan. Kevin Hayes, Washington County Administrator, will make a presentation to the Town Board regarding the Town's participation in the County Efficiency Plan. This is important to many of our citizens, who would lose tax rebates if we fail to meet New York's requirements in the Tax Freeze Credit program.

Supervisor Dumas announced that Kevin Hayes, Washington County Administrator, is not here yet but hopefully will be here shortly to make the Efficiency Plan presentation.

Supervisor Dumas felt it was important for the Town to have an emergency plan. Councilwoman Witherell volunteered so Supervisor Dumas appointed her as chairwoman of a committee to develop an appropriate plan. The committee was made up of Councilwoman Witherell, Supervisor Dumas, with great input and assistance from county staff, town fire and rescue departments and local citizens. The first Town Emergency Plan is now complete and ready for adoption.

Last December, the Town decided to hire a firm to conduct the Town's assessments after the resignation of the Town Assessor. This has allowed the Town to save approximately 25% of the Town's costs in this area. Because the budget was prepared prior to this change, money was budgeted under the personal service account. The money needs to be moved to the appropriate accounts that more correctly account for paying the firm. There is no financial impact with this. Money is simply moving to the correct accounts.

Now that it's spring, the annual effort to combat milfoil in Lake Hadlock will be starting up. The Lake Hadlock Association has requested that we approve three (3) resolutions, appointing a project manager, approving the memorandum of understanding for the Lake Hadlock Manager (the same person who was appointed last year) and approving the purchase of a GPS for the harvester. The GPS will allow us to carefully monitor and control the harvester as it moves across the lake to make sure that the designated lake areas are fully covered and that no gaps are left behind. This is very similar to how farmers use GPS when planting their fields and how crop dusters use GPS to spray the fields. Supervisor Dumas stated technology is amazing!

Next, there has been a vacancy on the Planning Board since last year. There will be a resolution appointing a gentleman that has volunteered and willing to fill and serve this very important vacancy.

Summer is just around the corner so it's time once again to appoint a Director to the Summer Recreation Program.

Tonight's meeting will be a very busy meeting. Many of the items listed above come under the heading of housekeeping and steps required to make sure the Town is ready for Spring and Summer. Supervisor Dumas stated she is grateful that the Town finally has an emergency plan in place and looks forward to the important presentation about the tax-freeze rebate efficiency plan.

Now that the Town Emergency Plan is finished, it's time to move ahead with the development of a long term plan for Fort Ann.

Supervisor Dumas stated since she has been supervisor she has believed that the Town needed to have a good, solid plan for the future. A plan that would allow Fort Ann to chart its future instead of just reacting to events as they occur.

Supervisor Dumas has created a committee to study the 2008 community plan. Supervisor Dumas is going to ask the committee to break all of its recommendations into several categories:

- Things that have already been done
- Things that can be done in 1 to 2 years
- Things that will take longer or are controversial (like zoning)
- Things that no longer apply because of the passage of time
- Things that may have popped up since 2008

Supervisor Dumas hopes to have a report from the committee by midsummer. Then it can be shared with the town, build some consensus, modify it, if need be, and then get to work on the two year plan.

The 2008 plan was great but included things like zoning that were so controversial that the whole plan was shelved. She doesn't want to see us make that mistake again. She would like to get going with things that can be done and see some progress. Further down the road longer term and controversial projects will be evaluated. With some progress behind us, we'll have a better idea what can be accomplished and what the town's people want to accomplish.

Supervisor Dumas has appointed some people to the committee and expects to appoint one (1) or two (2) more members to this interim committee. She has kept this interim committee small so they can actually get some work done. She is planning on there being a midsummer report and making additional appointments to the committee.

Supervisor Dumas attended and spoke at an Eagle Scout ceremony April 12, 2015 for Jonathan Allen. She is invited to and plans on attending the West Fort Ann Fire Company dinner April 18, 2015.

Washington County Administrator, Kevin Hayes, arrived.

Supervisor Dumas received approximately 20 phone calls for the month of March.

Supervisor Dumas is working on a dog contract. She has received at least ½ dozen complaints recently and as a result is meeting with someone this week that may possibly take this over.

Town Clerk's Report was given for March 2015. The Town Clerk stated that the dog complaints are not just in one (1) area of the Town. We have dog issues on Tripoli Road, Pattens Mills Road, Buttermilk Falls Road, Grey Goose Road and in Comstock. The Town Clerk reminded everyone that she would be attending Town Clerk conference 4/27-4/29/15 and that the Deputy Town Clerk II, Anne Wilcox, would be covering the office those three (3) days.

Public Hearing: None

Public Comment opened at 7:19 p.m. with Supervisor Dumas reminding those in attendance that public comment pertains to items on the agenda.

Mr. Moore stated he would like to comment on the agenda item on common core. Last month there was a gentleman here who gave a couple of resolutions to the board and asked the board to consider passing these resolutions. Mr. Moore asked Supervisor Dumas if she was aware of any financial implications concerning the two (2) resolutions. Supervisor Dumas responded no not that she's aware of. Mr. Moore replied that may be your opinion in which Supervisor Dumas responded "we haven't been told of any." Mr. Moore then asked her if she was absolutely certain that what is stated in the resolutions are all inclusive of the law be it federal or state law. Supervisor Dumas responded that the Town Attorney reviewed the documents and she would share with everyone the attorney's response if he'd like. Mr. Moore then stated to Supervisor Dumas "most importantly are you aware that school officials are bound by an oath of office that requires them to comply with local requirements that effect the operation of a school district which also includes the administration of state assessments." It is Mr. Moore's recommendation that the two (2) resolutions that were presented to the Town Board at the March meeting not be voted on by the Town Board. He is of the opinion that the Town Board shouldn't vote on school issues. Mr. Moore stated Mr. Schulz should forward his concerns to those that can address his issues such as Governor Cuomo's Office as well as the Acting Commissioner of the NYS Dept. of Education. Supervisor Dumas asked Mr. Moore if he had shared these names with Mr. Schulz and Mr. Moore replied he was pretty sure Mr. Schulz had all these names.

Public comment was closed at 7:22 p.m.

Supt of Highways Report: The Highway Superintendent stated they've been busy cutting and removing brush and tree removal on Copeland Pond Rd., Clay Hill, West Road and Mattison Road. They are waiting for a little rain before continuing to sweep roads. He advised that the dirt roads are drying out nice with the exception of Sly Pond and Shelving Rock Road. He stated that everything was going good. He advised the board that culverts would be ordered this week. He is currently doing an inventory of culverts left over from last year. The cost is

approximately \$5,000.00 for this purchase and that has been budgeted for. He advised he is not expecting the new truck until June. He has been advised that it hasn't even been built yet so he'll be getting a 2016 for the 2015 price. He is looking for a resolution for a Dump Body System. He has contacted four (4) companies and got back two (2) quotes from local companies.

Woodward Equipment Co., LLC, 1461 Baldwin Corners Rd., Ft. Ann, NY	\$7,330.00
Trius Inc., 268 Towpath Rd., Ft. Edward, NY 12828	\$9,435.36

**RESOLUTION #36-15**

**APPROVE THE HIGHWAY SUPERINTENDENT TO PURCHASE A DUMP BOX SYSTEM**

On motion of Councilman Varney, seconded by Councilwoman Witherell to accept resolution entitled "Resolution Approving the Highway Superintendent to purchase a Dump Box System"

ADOPTED      AYES 5              Varney, Witherell, Denison, Stark, Dumas

**RESOLVED**, that the Highway Superintendent will purchase a Dump Box System from Woodward Equipment Co., LLC, 1461 Baldwin Corners Rd., Fort Ann, New York for \$7,330.00.

The Highway Superintendent advised he would be waiting until the Fall to purchase a plow.

Councilwoman Stark stated she had placed a Champlain Canal Trail map on the bulletin board at the Town Hall. Each Town Board member also has a copy. She explained that this has been in the making for five (5) or six (6) years. This is a group of people that have worked on this making it possible to bike and hike from Waterford to Whitehall and eventually connect to Erie Canal Trail in Buffalo. She advised that there is a section from Locke 9 in Kingsbury through Clay Hill Road, Fort Ann that has been funded and due for construction 2016/2017.

Councilwoman Stark spoke with Sue Allen, Queen Anne Sr. Citizens, about having some information posted on the Town website as well as the Town Hall for day and overnight trips.

Councilwoman Stark advised that Justin Nassivera, Lake George teacher, is interested in being the Summer Recreation Program Director this year. Councilwoman Stark said he would do an excellent job.

Councilwoman Witherell advised that the Emergency Preparedness Plan has been completed and the updated version was distributed and would like to have a resolution passed having the Town adopt it.

Councilwoman Witherell attended and was awarded a certificate of completion for Citizen Preparedness Corps at the Glens Falls Civic Center. She mentioned this presentation was free and is about 1 ½ hrs. and can be arranged to have a presentation to the residents of Fort Ann perhaps at the Fort Ann School or the Fort Ann Firehouse or Rescue Squad Building. The Citizen

Preparedness Corps gives residents the knowledge and tools to prepare for emergencies and disasters, respond accordingly, and recover as quickly as possible to pre-disaster conditions.

Councilman Denison referred to the March 27, 2015 letter signed by Raymond Wilson, Wilsonview Farms, 11167 State Route 22, Fort Ann, NY 12821 in which he is offering to donate the following:

- approx. ½ acre cemetery to the Town of Fort Ann (per fenced in area)
- the town will move the fence 6' west on the west side to encompass visible bases
- Town of Fort Ann will survey and deed the parcel
- Mr. Wilson will receive a copy of said survey and deed so it can be removed from his taxes and insurance
- he would like the official name to be either "The Burying Ground" or "Blossom Farm Cemetery"
- memorial bricks already committed to the project through fundraising by Friends of Blossom Farm Cemetery, LLC be placed by the town in a respectful manner inside the cemetery area

Councilman Denison confirmed that the Town Attorney had a copy of the letter and wanted to hear from the Town Attorney as to whether he had any objections to it.

Supervisor Dumas stated before she heard from the Town Attorney she had questions the first being who wrote the letter and Councilman Denison stated he had received the letter by email from Deb Camarota. As far as Councilman Denison knew the Friends of Blossom has dissolved and is no longer interested in being a part of the cemetery. Councilman Denison asked "if Mr. Wilson agrees this letter is proper are we going to move forward?" Councilman Denison asked for a resolution approving Mr. Wilson giving the cemetery property to the Town of Fort Ann with a maximum cost of \$2,000.00 to the town. As far as Councilman Denison knows from a year ago the cost involved is under \$2,000.00. Supervisor Dumas wanted to know what the cemetery committee's thoughts were on this. Councilman Denison responded that the cemetery committee doesn't want anything to do with this because they are tired of fighting.

Christine Milligan asked for permission to speak and stated that it was asked for two (2) years ago that Friends of Blossom stay out of this and let the proper research be done. She had explained at numerous board meetings that it needed to be decided who's land this is and that it takes a couple of years to get grant money but you have to have access to all of the property. Christine stated the Fort Ann taxpayers should not be saddled with this.

Councilwoman Witherell wanted clarification about the purpose of having a meeting with Mr. Wilson. Supervisor Dumas stated she would suggest putting this resolution on hold until the Town Board has had an opportunity to speak with Mr. Wilson to make sure he understands and agrees to what is in the letter. She stated we have to be fair to Mr. Wilson. Discussion pursued

and it was decided that Supervisor Dumas and Councilwoman Witherell would try to arrange a meeting with Mr. Wilson on or before April 22, 2015.

Enforcement Officer, Mark Miller, gave his report for the month of March which included approximately 16 phone calls and 25 emails. Mark stated he contacted the Washington County Real Property Department for an additional map to refer to when being asked if something in in the Adirondack Park. He spoke of the burn ban in effect from 3/14/15-5/14/15. He stated he spoke with the Washington County Fire Coordinator, Ray Rathbun, and he stated that Fort Ann is one of the towns that is constantly being watched.

Supervisor Dumas asked Virginia Parrott, Town Historian, for her report and she referred to Christine Milligan who reported on Battle Hill. She stated that the Fort Ann American Legion and the Historical Society are hosting a public meeting on Battle Hill's future 4/29/15 @ 6:00 p.m. at the Fort Ann Firehouse. The research done by SUNY/Binghamton with a grant from the American Battlefield Protection Program will be presented. Christine spoke of an archaeological dig from the Village of Fort Ann to the Meadows.

Mrs. Parrott did state she received a phone call from Poughkeepsie today regarding a third party site review impact statement and she had never been contacted by DEC before.

Christine Milligan introduced Barbara Eagle of the Seniors. Barbara Eagle stated the children of Fort Ann need to not only read about the history of Fort Ann but see it. She discussed the banner research she has done. The banners would be along George Street from the Post Office to the Library. The banners would be 18 x 48 and the hardware is included in the price. The hardware would have an eight (8) year warranty and the flags would have a three (3) year warranty.

Old business: Supervisor Dumas referred to the two (2) resolutions brought forth by Mr. Schulz last month and the Town Board Member's agreed that this is school business not Town business.

Kevin Hayes, Washington County Administrator, presented and distributed the Government Efficiency Plan. The Government Efficiency Plan was established in the 2014 State budget. This plan requires local governments to come up with a plan to save 1% of their 2014 tax levy for three (3) years (2016, 2017, 2018).

There is no penalty if it's not achieved. The actual tax levy does not have to be reduced. The main requirements are to comply with the tax cap and make the best effort to meet the efficiency plan. Municipalities MUST comply with the tax cap. The efficiency plan must be filed by June 1, 2015, in order to be eligible for tax rebate checks in 2016.

The County alone exceeds the 1% requirement, along with savings achieved by various other municipalities, this plan requirement will be easily met.

The County is looking for each Town and Village to agree to join the county in the efficiency plan. They have provided a sample resolution for tonight's meeting.

Items included in the plan can date back to 2012 (same year the tax cap went into effect).

The real advantage of this process will be the process itself. In order to save future dollars, all municipalities must find ways to consolidate services, share services and find other ways to cut back. This plan allows the conversations to start.

It must be noted that for 2016 the tax cap could be at the minimum rate, at 1% (plus any carryover). The State will more than likely adopt a circuit breaker of a tax refund for any tax above 6% of adjusted gross household income.

The current tax rebate checks will be issued in late October for the next two (2) years for those that meet the tax cap. The rebates apply to school (2015), school and municipality (2016), municipality only (2017).

**RESOLUTION #37-15**

**AUTHORIZING THE TOWN OF FORT ANN TO PARTICIPATE IN THE LOCAL GOVERNMENT EFFICIENCY PLAN**

On motion of Councilwoman Witherell, seconded by Councilman Denison to accept resolution entitled "Authorizing the Town of Fort Ann to participate in the Local Government Efficiency Plan "

ADOPTED      AYES 5              Witherell, Denison, Varney, Stark, Dumas

**RESOLVED**, that the Fort Ann Town Board authorizes their Chief Financial Officer to certify the Government Efficiency Plan.

**RESOLUTION #38-15**

**APPROVING THE FORT ANN COMPREHENSIVE EMERGENCY MANAGEMENT PLAN**

On motion of Councilwoman Witherell, seconded by Councilman Varney to accept resolution entitled "Approving the Fort Ann Comprehensive Emergency Management Plan"

ADOPTED      AYES 5              Witherell, Varney, Denison, Stark, Dumas

**RESOLVED**, that the Town of Fort Ann hereby approves the comprehensive emergency management plan.

**RESOLUTION #39-15**

**TO TRANSFER FUNDS FROM ASSESSOR – PERSONAL SERVICES TO ASSESSOR - CONTRACTUAL**

On motion of Councilwoman Stark, seconded by Councilwoman Witherell to accept resolution entitled "To Transfer Funds from Assessor – Personal Services to Assessor – Contractual"



ADOPTED      AYES 5              Stark, Witherell, Varney, Denison, Dumas

**RESOLVED**, that the Town Board hereby finds the above budget transfer necessary and proper, and hereby authorizes the transfers as stated herein.

**RESOLUTION #40-15**

**RETIREMENT STANDARD WORKDAY AND REPORTING RESOLUTION**

On motion of Councilwoman Witherell, seconded by Councilwoman Stark to accept resolution entitled "Retirement Standard Workday and Reporting"

ADOPTED      AYES 4              Witherell, Stark, Varney, Dumas  
                     NAY 1                Denison

**RESOLVED**, that the Town of Fort Ann hereby establishes the standard work day for Assessor's Clerk (P/T).

**RESOLUTION #41-15**

**APPOINTING 2015 PROJECT MANAGER FOR LAKE HADLOCK**

On motion of Councilman Varney, seconded by Councilwoman Witherell to accept the resolution entitled "Appointing 2015 Project Manager for Lake Hadlock"

ADOPTED      AYES 5              Varney, Witherell, Denison, Stark, Dumas

**RESOLVED**, that the Fort Ann Town Board does appoint Joe Joszynski as the 2015 Project Manager for Lake Hadlock.

**RESOLUTION #42-15**

**AUTHORIZING THE PURCHASE OF A GPS FOR THE HARVESTER**

On motion of Councilman Varney, seconded by Councilman Denison to accept the resolution entitled "Authorizing the purchase of a GPS for the Harvester"

ADOPTED      AYES 5              Varney, Denison, Witherell, Stark, Dumas

**RESOLVED**, that the Fort Ann Town Board authorizes the purchase of the Trimble FM-750 display for the Mechanical Harvester.

**RESOLUTION #43-15**

**AUTHORIZING THE MEMORANDUM OF UNDERSTANDING FOR 2015 LAKE HADLOCK REVISED ENVIRONMENTAL SERVICES PROPOSAL**

On motion of Councilwoman Witherell, seconded by Councilwoman Stark to accept the resolution entitled "Authorizing the Memorandum of Understanding for 2015 Lake Hadlock Revised Environmental Services Proposal"

ADOPTED      AYES 5              Witherell, Stark, Varney, Denison, Dumas

**RESOLVED**, that the Fort Ann Town Board hereby approves entering into the MOU with Steven A. LaMere dba Adirondack Ecologists, LLC and authorizes the Town Supervisor to sign the 2015 Lake Hadlock Revised Environmental Services Proposal in the form of a Memorandum of Understanding (MOU) with a proposed total of \$20,600.00 with Steven A. LaMere dba Adirondack Ecologists, LLC.

**RESOLUTION #44-15  
APPOINTING A FORT ANN PLANNING BOARD MEMBER**

On motion of Councilman Varney, seconded by Councilwoman Witherell to accept the resolution entitled "Appointing a Fort Ann Planning Board Member"

ADOPTED      AYES 5              Varney, Witherell, Stark, Denison, Dumas

**RESOLVED**, that the Fort Ann Town Board hereby appoints Charles Sellitti to serve as a member of the Fort Ann Planning Board for a five (5) year term.

**RESOLUTION #45-15  
APPOINTING DIRECTOR OF SUMMER RECREATION PROGRAM**

On motion of Councilwoman Stark, seconded by Councilwoman Witherell to accept the resolution entitled "Appointing Director of Summer Recreation Program"

ADOPTED      AYES 5              Stark, Witherell, Varney, Denison, Dumas

**RESOLVED**, that the Fort Ann Town Board hereby appoints Justin Nassivera as the 2015 Director of Summer Recreation Program.

Correspondence: Supervisor Dumas was handed a petition with twenty one (21) signature's from concerned residents of Dewey's Bridge Road and the speed limit.

**RESOLUTION #46-15  
ACCEPTING THE PETITION REQUESTING TO DECREASE THE SPEED LIMIT ON DEWEY'S BRIDGE ROAD**

On motion of Councilwoman Witherell, seconded by Councilman Varney to accept the resolution entitled "Accepting the petition requesting to decrease the speed limit on Dewey's Bridge Road"

ADOPTED      AYES 5              Witherell, Varney, Denison, Stark, Dumas

**RESOLVED**, that the Town of Fort Ann hereby accepts the petition presented at the Town Board meeting April 13, 2015 and the Town of Fort Ann Highway Superintendent will forward to the Washington County Highway Superintendent and NYS Department of Transportation for further consideration.

County Update: Supervisor Dumas spoke of CHPS update on-line and extreme weather money as well as the Probation Officers carrying weapons policy passed. There is Pleasant Valley land for sale and suggested putting the three (3) different parcels out to auction

Public Discussion was opened at 9:06 p.m. with Denny Fletcher stating that he was recently speaking with Ray Wilson's brother (Bruce) and he said that it has been rumored over the years from generation to generation there could be bodies under the FORD dealership with regards to Blossom Cemetery.

Bill Bailey thanked the board for passing the three (3) Lake Hadlock resolutions.

Arlene Green stated the Waterfront Park is a disaster from the vandalism. Supervisor Dumas stated she has been talking to the Mayor about this situation. The Washington County Sheriff's Department did put up a camera but it was the wrong time of the year but are going to try again to see if they can catch the vandals.

Public Discussion was closed at 9:20 p.m.

Councilman Denison mentioned again that Gloria Quinlan is still waiting for a response to her email of January 10, 2015. Attorney Meyer will put together a response for the Town Board.

On motion of Councilman Denison, seconded by Councilwoman Witherell to adjourn at 9:21 p.m.

Motion was carried unanimously.

Total Abstracts:	General	\$15,822.98
	Highway	\$19,975.11

Respectively submitted,

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Barbara J. Winchell, Town Clerk

Dated: April 24, 2015