

**MINUTES OF THE REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF FORT ANN
HELD MAY 11, 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

ABSENT: Councilwoman Deborah Witherell

OTHERS PRESENT: Paul Winchell, Highway Superintendent, Jeff Meyer, Town Attorney, Helen Denno, Confidential Secretary to the Supervisor, Barbara Winchell, Town Clerk, John Bonanno, Assessor, Mark Miller, Enforcement Officer, Dale Grinnell, Christine Milligan, Dave Dumas, Richard Moore, Arlene Green, George Sherwood, Joan Degener, Earl Haviland, Gene Connell, Joe Loszynski, Barbara Eagle, Denny Fletcher, Helen Waters, Bill Bailey, Penny Gould

Meeting was called to order at 7:05 p.m. with the Pledge of Allegiance to the Flag led by Councilwoman Stark. A moment of silence for deceased Fort Ann residents, Irwin Jarvis and Jesse Kennedy.

Motion was introduced by Councilwoman Stark, seconded by Councilman Denison to accept the minutes of the Regular Town Board Meeting of April 13, 2015.

Motion was carried.

Motion was introduced by Councilman Varney, seconded by Councilwoman Stark to pay bills as warranted and audited. Councilman Denison stated he hadn't initialed a few of the bills and he will give the list to the Bookkeeper, Helen Denno, to go over.

Motion was carried.

Supervisor's Report: The Monthly Statement to Supervisor is on the Town's website. A paper copy is available upon request.

Supervisor Dumas received approximately 30 phone calls for the month of April.

Supervisor Dumas reported that there have been two (2) fun and successful Supervisor on the Corner meetings. There won't be a meeting in May because of the cemetery tour scheduled for May 17, 2015. The next Supervisor on the Corner meeting will be the afternoon of June 14, 2015 at the Fletcher's home on 29 Morgans Way, Comstock.

Supervisor Dumas stated that tonight's agenda and the April financial report have been uploaded to the Town's website. Both documents are available in the list of Recently Uploaded

Files as well as the 2015 Town Board meetings page. Items to be discussed at tonight's meeting:

- The response returned in reply to the RFP for hand harvesting on Lake Hadlock. Joe Loszynski will review the response for the Board, after which the Board will decide to accept the response or not. If accepted, there will have to be a special meeting.
- Due to complaints, there will be a discussion regarding creating a tobacco-free area at the Pilot Knob beach.
- Will need to enter into Executive Session to discuss some personnel issues.

Other items that have come up since April's Town Board meeting;

SUNY/Binghamton has completed their research of the area and size of Battle Hill and the two day battle. It is their recommendation to proceed with the grant application to conduct an archeological study. Supervisor Dumas stated that the SUNY/Binghamton group was very thorough and it was a very interesting meeting.

Supervisor Dumas stated she joined the West Fort Ann Fire Company for its annual swearing in of officers at Country Meadows for dinner and it was a fun evening. She prepared and presented Dave Gould a proclamation thanking him for his years of service with the West Fort Ann Fire Company. He has retired from the fire company and she proclaimed April 19th Dave Gould Day in Fort Ann and that went over really well.

The annual Fort Ann School agreement has been received. Supervisor Dumas needs to review, sign and return it to the school.

Supervisor Dumas stated that on May 1, 2015 this year's Liberty Bell award winner was Fort Ann Magistrate James P. Richardson and glad she was able to attend this event.

Supervisor Dumas stated she has submitted a couple of applications in order to have the Town participate in the Washington County Summer Youth Employment Program.

Supervisor Dumas reminded everyone that that there was a cemetery account created with the 2015 budget and Mr. Denny Fletcher has been hired to do the cemetery clean-up. He along with members of the Highway Department got this under way the week of 5/4/15. Supervisor Dumas is anxious to see the great job that has been done during the May 17th cemetery tour.

Supervisor Dumas announced that the Lake Hadlock Emergency Plan has been updated and the revised plan was been submitted and accepted by the state and this hadn't been done since 2010.

Town Clerk's Report was given for April 2015. All three (3) campgrounds were notified of 2015 rates and so far only one (1) has submitted payment and that was Bruce's Campground. Cathy

of Hadlock stopped by the Town Clerk Office and stated she would be submitting payment as it was closer to Memorial Day. The Town Clerk has not heard from Moose Hillock.

Public Hearing: None

Public Comment opened at 7:14 p.m. with Supervisor Dumas reminding those in attendance that public comment pertains to items on the agenda and referred people to the second page of the agenda.

Public comment was closed at 7:15 p.m.

Supt of Highways Report: The Highway Superintendent stated they've been very busy getting summer projects going. There are four (4) or five (5) culverts that have to be replaced. They started Dewey's Bridge today. Cleaning of the cemeteries (Fish Hill, Cartier Lane, Fanora Farms, the one on Flat Rock Rd., Rocky Way off Tripoli Rd., the one on Copeland Pond Rd., Otis on Cty. Rte 17 and Welch Hollow) started last week. The Needhamville Cemetery has two (2) sections and they didn't realize that until they got in there. A tree needs to be removed at Otis cemetery on Route 17 but they'll have to hire someone that takes down trees for that job.

Councilman Varney commented on what a nice job has been done on the cemetery clean up.

Supervisor Dumas stated that Councilwoman Witherell wasn't able to attend tonight's meeting but has been mentioning since the 1st of the year that the Assessor needs to come to attend a board meeting to introduce himself since he was hired by the Town to start 1/1/15 as the part-time Sole Assessor. Supervisor Dumas introduced, John Bonanno, Sole Assessor and mentioned that he also has an organization Municipal Assessment Services (MAS).

Mr. Bonanno stated he has been working in this field for 41-43 years and ten (10) years as an Assessor. He stated that his organization MAS has part-time and full-time employee's with over 150 years of combined experience. He thanked everyone for hiring him and for the opportunity to work for the Town of Fort Ann. He stated it's a challenging job but that he works for everyone. He pays special attention to the Senior Citizens to make sure they have the exemptions that they are entitled to. He explained how Real Property Tax is a progressive tax. He said people complain about it a lot but he doesn't take anything personal when people aren't happy with their assessment. He explained the grievance process. He stated the Assessor's Office has 24/7 coverage with email and he prefers email to phone calls because with emails there is a written record. He doesn't mind people calling his cell number in case of an emergency. He stated that Washington County has an excellent Real Property Department in particular its GIS Specialist is outstanding.

Councilwoman Stark stated we are waiting for the Pilot Knob beach permit. She plans on it being open Memorial Day weekend and weekends through the month of June and then every day after that through Labor Day. The Old Stone House Library will be open 9:00 a.m. – noon

on Memorial Day and will have information on the trail coming up for Waterford. That time coincides with the day of the parade.

Councilman Varney advised he stopped into the Shed Stop today and had a conversation with the owner, Mr. Ferguson, and the Shed Stop is willing to do the repairs to the gazebo for free. Supervisor Dumas stated we now have two (2) people that have offered to do the repairs for free Mr. Morris Wells and the Shed Stop. Supervisor Dumas advised that the Village will pay for the cost of the materials to repair the gazebo.

Councilman Varney stated that the Town needs to take a look at zoning when you look at junk yard property like what is across from the Fort Ann Fire Company on Route 149. The Enforcement Officer will address this a little later in the meeting.

Attorney Meyer stated that the Town could adopt a junkyard local law separate from zoning. It essentially requires getting licenses. A junkyard ordinance will be looked into.

Councilman Denison strongly agrees with Councilman Varney's idea of zoning. He believes there should be zoning in the Town of Fort Ann similar to what the Town of Kingsbury has. Route 4 and Route 149 are prime commercial properties. For instance, Route 149 close to Queensbury, is being taken up by boat storage which doesn't generate anything for the town tax wise. Councilman Denison stated there would have to be a site plan review submitted and a Zoning Administrator.

Councilman Denison stated it seems like Blossom Farm Cemetery is being ignored and suggested if there is going to be a special meeting for Hadlock include Blossom Cemetery. Supervisor Dumas asked Councilman Denison as Chairman of the cemetery committee why he hasn't attended the last couple of cemetery committee meetings. He responded that he didn't know about the meetings. She asked how could he not know about the meetings as he is the Chairman of the cemetery committee? He responded he doesn't set up the meeting dates. Supervisor Dumas responded "Aren't they always the Wednesday before the Monday night board meeting?" George Sherwood replied yes.

Supervisor Dumas read the minutes from the 5/6/15 cemetery meeting. Meeting started at 5:10 p.m. with George Sherwood, Dale Grinnell, Christine Milligan and Virginia Parrott in attendance. George and Christine will get together and start inventory of Needhamville cemetery. Last cemetery book had 31 names listed. (went through list of names and many stones have disappeared, will look for them) Haskins cemetery, building needs to be removed, camper and tires are now leaning against cemetery wall. Were not there last summer. American Legion has installed a new flag with solar lights. Solar lights are wired to each other, so be careful when mowing around them and flag pole. Cemetery committee has agreed to only meet when necessary. Meeting adjourned at 5:25 p.m.

Supervisor Dumas asked Councilman Denison if he still wanted to be the Chairman of the cemetery committee since he hadn't attended the last few meetings. Councilman Denison

responded she can appoint anyone she wants as chairman of the cemetery committee. Councilman Denison suggested perhaps it should be Christine Milligan since she coordinates the dates/times of the meetings. Supervisor Dumas stated she would want the chairman of the cemetery committee to be a town board member.

Supervisor Dumas asked Councilman Varney to now be the Chairman of the cemetery committee. Councilman Varney accepted. Councilman Varney is also a member of the Historical Society and most of the cemetery committee members are also on the Historical Society so that seems to work out well.

Supervisor Dumas stated that at the April Board meeting she had suggested she and Councilwoman Witherell meeting with Mr. Ray Wilson on or before April 22, 2015. She announced that didn't happen because she had received an email from Deb Camarota on Tuesday immediately following the board meeting. Supervisor Dumas read the email from Deb Camarota "We have learned that the "offer" made by Ray Wilson may be in question as to its authenticity. No one ever said Ray wrote it. It was not presented to the board as having been written by him. It is signed with an original signature from the hand of Ray Wilson. It was not obtained by coercion nor was he placed under duress. It is what is believed to be the best solution to a bad situation.

We will tell you that Ray has had enough. His father passed away last week. His father, who was publicly called names at board meetings and in private by two members of your cemetery committee. If you do not want his offer as outlined in the 6 points presented to the board, so be it. He doesn't care anymore.

Our group has had enough as well. We thought that by caring and giving our money and our time and our hearts, we could save what was left of the cemetery where our ancestors are buried. We are tired of publicly being called "outsiders" by members of your committee. We are tired of the anonymous letters and phone calls"

Supervisor Dumas stopped reading the email and made the comment she absolutely didn't know where this woman is coming from.

Supervisor Dumas continued reading Deb Camarota's email "We get quoting the "truths" as told by your committee members. We are tired of slanderous letters being read about us, including the false statement that \$3,000 has been spent on Blossom Farm Cemetery, primarily in attorney fees. A FOIL requesting the attorney invoices would prove otherwise. We do not owe the town of Fort Ann anything. In fact, you have a very UNfriendly town here whose board is manipulated by members of your town. Our families were the founding members of the town. This mattered to us; we thought we were coming "home".

The offer of going to visit the farm is too little, too late. Where was your concern when the board was coerced into writing a letter that forced his cows to stay in the barn for months?

Where was your concern when he was so upset about his cows, who stopped producing milk, he had a seizure and drove his tractor into the house?

We promise you, if you do not take the offer as written, there will be no more offers. The cemetery will stay as it is, until the cows decide to take it back. All of the public concern you have shown for the state of the cemeteries in your Town, will be another joke, another false promise made by politicians and the biased committees they form to stop such travesties.

One last thing...the deed clearly states; the burying ground is "one half" acre. No more. A reply to this email is not needed or necessary."

Supervisor Dumas stated she had a conversation with Councilwoman Witherell and they thought it best to wait for the dust to settle before meeting with Mr. Ray Wilson and not have Deb Camarota present when they do meet with him. Councilwoman Stark and Councilman Varney agree with this decision to let the dust settle before meeting Mr. Wilson. Supervisor Dumas stated Councilwoman Witherell expects to be up and about soon.

Enforcement Officer gave his report for the month of April which included 39 phone calls, 5 building permits and 26 emails. He stated that he met with Mr. Paradis of Moose Hillock and he doesn't want to pay the 2015 fees. Mark told him he would have to take that up with the Town Board. Mark stated he met with Mr. Dean Powers today who owns the steel building that Councilman Varney was referring to earlier across from the Highway Department and gave him thirty (30) days to clean it up. Mark also met with Jim Denton two (2) weeks ago and had a deal worked out with Ace Carting (Jerry) to cart away the debris for free. Jim Denton doesn't want Ace Carting on his property. Mark wants the Washington County Code Enforcement Department to get involved in this situation but there has been a similar situation in the Town of Hartford since November and Mark has not had much luck with the Town of Hartford case. It was mentioned getting DEC involved. If Mark were to contact DEC and mention that there is oil on the ground DEC will investigate quickly.

No Historian or Old Business to report on.

New Business: The Town Clerk opened the one (1) response received from the ad ran regarding the hand harvesting for Lake Hadlock:

David Burrows, 12 Cottage St., Ashland, NH 03217 \$96,100.00

Only \$32,000.00 was budgeted for this. Joe Loszynski, Project Manager, will get back to Supervisor Dumas on how to go forward with this as this is way over budget. From what Mr. Loszynski remembers it took him several times to connect with Mr. Burrows and he is mainly a diver so that isn't really what we are looking for. Mr. Loszynski will contact Mr. Steve LaMere about doing a vetting process. Considering Lycott didn't do a great job last year but their price was only \$19,000.00.

New Business: Councilwoman Stark received an email from Brandi Bishop, Community Partnerships Health Promotion Center at Glens Falls Hospital, regarding the Fort Ann beach currently having no-smoking signs but no actual policy in place.

Attorney Meyer’s advice was to draft and adopt an ordinance prohibiting smoking and authorizing fines and enforcement mechanisms. By simply adopting a resolution banning smoking, the Town would be limited in their ability to enforce and penalize violators. Attorney Meyer explained that adopting an ordinance is different than adopting local law. Generally an ordinance is a little bit easier and goes quicker than a local law.

**RESOLUTION #47-15
FOR THE TOWN OF FORT ANN TO SET A PUBLIC HEARING FOR A TOBACCO FREE ORDINANCE AT THE PILOT KNOB BEACH, TOWN HALL AND OLD STONE HOUSE LIBRARY**

On motion of Councilman Varney, seconded by Councilwoman Stark to accept resolution entitled “Resolution for the Town of Fort Ann to set a public hearing for a tobacco free ordinance at the Pilot Knob Beach, Town Hall and Old Stone House Library”

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

RESOLVED, that the Town Clerk shall be directed to publish a public notice of the Public Hearing in the official newspaper, *The Post-Star*, regarding proposed non-smoking ordinance and the Town Clerk is hereby directed to also post notice in accordance with the applicable law.

Correspondence: Supervisor Dumas received information from the One-Stop Center of Washington County regarding the Summer Youth Employment Program for 2015. The Summer Program strives to emphasize real-work labor expectations. The opportunity is invaluable to the youth. The average participation is 8 weeks, 25 hours per week @ \$8.75/hr. Supervisor Dumas has submitted two (2) applications. There is no cost to the town.

Dan Ladd belongs to NYS Outdoor Writers he sent an email to Councilwoman Stark about showcasing the area and housing folks in RV’s at Hadlock Inn. He was wondering if the Canal Corp. or the Town would provide a lunch or dinner during this event. While in the area they would be turkey hunting, stream fishing, etc. Someone from the town would address the group about the history of Fort Ann during the sponsored lunch &/or dinner. It could be something as simple as pizza or a barbecue.

Supervisor Dumas read a letter she received from Make-A-Wish Foundation.

County Update: June business show will be held on June 11, 2015 in Whitehall at The Armory.

There were Republican meet the candidates nights in Kingsbury, Granville and Greenwich. There are two (2) people running for County Clerk and five (5) running for four (4) coroner positions as well as the Sheriff and Treasurer positions.

Supervisor Dumas attended mandatory LDC training 5/8/15.

Public Discussion was opened at 8:25 p.m. with Helen Waters expressing her dissatisfaction of Nancy Quell, Animal Control Officer, handling of dog bite on Grey Goose Road. This happened on a Friday (3/20/15) night and when Nancy was contacted by Helen Waters she was told she was making dinner and never made it out to Helen's home on Grey Goose Road until Sunday. Mr. Fletcher also spoke of how many months people have been complaining about Animal Control and when is something going to be done. The town needs to stop paying someone who isn't doing their job.

Arlene Green invited the Town Board Member's, on behalf of the Historical Society, to the Fort Ann Rescue Squad building 5/17/15 at noon for tour number 2. Tour number 1 took place in the fall. Saturday, 5/23/15, is the rain date. She thanked everyone involved for the cleaning up of the cemeteries.

Mr. Grinnell mentioned that the stripes on the roads didn't last. Mr. Winchell responded that because it was so late in the season and it was so cold when the state was doing the striping that they should be around soon to re-stripe.

Barbara Eagle has got ten (10) sponsors for the banners so she will purchase ten (10) historical banners. They won't be up for Memorial Day but will be up for July 4th.

Public Discussion was closed at 7:42 p.m.

On motion of Supervisor Dumas, seconded by Councilwoman Stark to enter into executive session to discuss personnel matters at 8:43 p.m.

On motion of Councilman Varney, seconded by Councilman Denison to come out of executive session at 9:05 p.m.

RESOLUTION #48-15

APPROVING THE HIGHWAY SUPERINTENDENT TO HIRE TWO (2) LABORERS TO OPERATE THE HARVESTER FOR THE SUMMER

On motion of Supervisor Dumas, seconded by Councilman Varney to accept resolution entitled "Resolution Approving the Highway Superintendent to hire two (2) laborers to operate the harvester for the summer"

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

RESOLVED, that the Town Board hereby approved the hiring of two (2) laborers by the Fort Ann Highway Superintendent for the operation of the Harvester for the summer of 2015 at a combined salary not to exceed \$3,000.00.

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

Motion was carried unanimously.

Total Abstracts:	General	\$ 8,951.31
	Highway	\$14,784.19

Respectively submitted,

Barbara J. Winchell, Town Clerk

Dated: May 21, 2015