

**MINUTES OF THE REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF FORT ANN
HELD JUNE 8, 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, Mark Miller, Enforcement Officer, Virginia Parrott, Historian, Dale Grinnell, Christine Milligan, Dave Dumas, Bill Bailey, Penny Gould, Richard Moore, Gene Connell, Arlene Green, Denny Fletcher, Gloria Quinlan, Lorraine Connor, Joe Loszynski, Cliff Nelson, Heather LaSalvia, Chelsea Morse, Talia Vaughn, Theodore Collette, Taylor Heath, Taylor Tharp

Meeting was called to order at 7:00 p.m. with the Pledge of Allegiance to the Flag led by Councilwoman Stark. A moment of silence for deceased Fort Ann residents.

Motion was introduced by Councilwoman Stark, seconded by Councilman Varney to accept the minutes of the Regular Town Board Meeting of May 11, 2015.

Motion was carried.

Motion was introduced by Councilwoman Witherell, seconded by Councilman Varney 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 May financial report is available on the Town's website. A paper copy is available upon request.

Supervisor Dumas received approximately 20 phone calls for the month of May and a dozen emails.

Supervisor Dumas read the Supervisor's Blog. The Agenda for tonight's meeting and the May financial report have been uploaded to the website. Both documents are available in the list of Recently Uploaded Files on this page. Also, available on the 2015 Town Board meetings page. Tonight's meeting will hopefully be short. The primary item on the agenda will be a public hearing regarding the creation of a tobacco free ordinance for the Pilot Knob beach, Town Hall and Old Stone House Library.

Other items that have come up since May's Town Board meeting:

There was a tour of the cemeteries on May 17th. Supervisor Dumas and her husband, Dave, joined members of the cemetery committee, the American Legion and the Historical Society for a tour that was led by Terry Barber. Supervisor Dumas and the group were very impressed by how good they look and how much had been accomplished in such a short time.

The Town Board approved a line item in the budget last year for someone to work on cleaning up the cemeteries. The line item provides for twenty (20) hours per week for sixteen (16) weeks and the new position, Denny Fletcher, reports to Paul Winchell, Highway Superintendent. Paul hired Denny Fletcher and has been doing a great job. Many thanks to Paul and the members of the highway department for the help they have provided to this worthy project.

As the work has proceeded, more gravestones have been discovered than we knew that were out there. This project may yield new information about the Town as well as providing some much needed cleanup for the Town cemeteries.

Councilman Denison is no longer the chairman of the Cemetery Committee. Supervisor Dumas has appointed Councilman Varney as the chairman of the Cemetery Committee. Deputy Supervisor Stark and Supervisor Dumas stopped to visit with Ray Wilson, gentleman who owns land in which Blossom Cemetery sits, and had a nice visit last week with him and confirmed that he doesn't want to make any decisions at this time regarding that piece of property.

The Memorial Day parade was a great success. Huge thanks to Christine Milligan, Commander of the American Legion in Fort Ann, for all her great work organizing the parade.

Christine is also a member of the Cemetery Committee so Supervisor Dumas wanted to thank her for her hard work on that committee as well.

New York State Department of Transportation has finished striping the roads where needed.

The County is engaged in hiring a replacement for County Administrator, Kevin Hayes, who is retiring December 31, 2015. Interviews took place for two (2) days last week and have narrowed the field down to four (4) promising candidates. Those four (4) candidates will come back for second interviews and hope to have made a selection to replace Mr. Hayes and announce by the end of July.

There will be a Supervisor on the Corner meeting, June 14, 2015, at The Fletcher Home, 29 Morgans Lane, Comstock.

Town Clerk's Report was given for May 2015.

Public Hearing was opened at 7:12 p.m. to discuss an ordinance that was published in The Post Star May 24, 2015. **PLEASE TAKE NOTICE** that an ordinance has been introduced by the Town Board of the Town of Fort Ann to prohibit smoking on the following properties:

- (1) Town of Fort Ann Town Hall (80 George Street, Town of Fort Ann, Washington County, New York, bearing Tax Map Id No. 112.10-3-10);
- (2) Old Stone House Library (36 George Street, Town of Fort Ann, Washington County, New York, bearing Tax Map Id No. 112.10-5-19), and
- (3) Town owned property located at 1919 Pilot Knob Road, Town of Fort Ann, Washington County, New York bearing Tax Map Id No. 64.14-1-22 more commonly known as the portion of the town beach covering all town property on the west side of Pilot Knob Road, Town of Fort Ann, Washington County, New York

Persons in violation of said ordinance would be subject to a \$50.00 fine. A copy of said proposed ordinance is on file in the office of the Town Clerk.

Heather LaSalvia, Coordinator for Reality Check of the Living Tobacco-Free initiative at Fort Ann School through Glens Falls Hospital, stated there would be four (4) Fort Ann Central School students speaking at tonight's meeting.

Talia Vaughn, member of Reality Check: Smoking has a huge negative impact on youth including our summer rec kids who go to our town's beach every Tuesday and Thursday throughout the summer. Over 5,400 children have been poisoned by the ingestion of cigarette butts and our summer rec kids are at risk for this too if we don't put an end to smoking at our beach. They are also at risk of the 7,000 chemicals that secondhand smoke contains. 50,000 deaths occur each year in the U.S. in children due to this secondhand smoke.

Theodore Collette, member of Reality Check: This year I received the rank of Eagle Scout and as a scout, being conscious of the environment is very important to me as well as the BSA (Boy Scouts of America). Considering that cigarette butts are the number 1 littered item in the world, this is very troubling to me. Since cigarette butts take roughly 10 years to decompose, this is therefore a long term negative impact on our environment and the people that use the Fort Ann Beach. The approval of this policy would be very important to all of Fort Ann.

Taylor Heath, member of Reality Check: Reality check is funding brought a living tobacco-free grant at Glens Falls Hospital so we provide the signs for free as well as assist with creating the policy.

Taylor Tharp, member of Reality Check: The signs show that the area is smoke free and helps with compliance. Research has shown that Tobacco-free signage helps reduce youth initiation of tobacco as it is portrayed as unacceptable and dangerous behavior in society. Thank you for your time and consideration of a tobacco-free resolution.

Chelsea Morse spoke on behalf of the Living Tobacco-Free grant of Glens Falls Hospital and distributed packets of Tobacco-Free information to the Town Board Members.

Christine Milligan asked “Isn’t there already a state law banning smoking in public areas?” “So what would this ordinance do?” The Town Attorney, Jeff Meyer, replied it only covers not smoking inside. The Town Attorney was directed to broaden the law to include the use of all tobacco products.

Dale Grinnell hopes that someday there would be a new Town Hall and wondered if this would carry over to the new Town Hall or would there have to be an amendment.

Public Hearing was closed at 7:16 p.m.

The Town Attorney read the Short Environmental Assessment Form to Supervisor Dumas who responded appropriately “yes” or “no” to questions on pages 1 through 4 on file in Town Clerk’s Office. The Town Attorney then asked for a resolution regarding the last paragraph page 4 which states check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

RESOLUTION #49-15

THE PROPOSED ACTION WILL NOT RESULT IN ANY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS

On motion of Councilman Denison, seconded by Councilman Varney to accept resolution entitled “The Proposed Action Will Not Result In Any Significant Adverse Environmental Impacts”

ADOPTED AYES 5 Denison, Varney, Stark, Dumas
 NAY 1 Witherell,

RESOLVED, that based on the information and analysis of the Short Environmental Assessment Form, and any supporting documentation that the proposed action will not result in any significant adverse environmental impacts.

RESOLUTION #50-15

ADOPTING PROPOSED ORDINANCE PROHIBITING SMOKING ON, IN, AND AROUND BUILDINGS OWNED, OCCUPIED OR CONTROLLED BY TOWN OF FORT ANN

On motion of Councilman Varney, seconded by Councilwoman Stark to accept resolution entitled “Adopting Proposed Ordinance Prohibiting Smoking On, In, and Around Buildings Owned, Occupied or Controlled by Town of Fort Ann”

On motion of Supervisor Dumas, seconded by Councilwoman Stark to amend the ordinance to prohibit not just smoking, but the use of all forms of Tobacco. The Town Board discussed the proposed amendment and the revised ordinance.

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

RESOLVED, that pursuant to and in accordance with Section 133 of the Town Law, the Town Clerk is hereby directed to enter the “Ordinance Prohibiting Smoking On, In, and Around Buildings Owned, Occupied or Controlled by the Town of Fort Ann” into the minutes of this meeting and publish the same in The Post Star the official newspaper of the Town and this shall take effect immediately.

Councilwoman Witherell commented that she doesn’t want to be a part of government making restrictions on or decisions for people. That people should still have freedom to make choices and this being one of them.

Public Comment opened at 7:27 p.m. with Supervisor Dumas reminding those in attendance that public comment pertains to items on the agenda.

Public comment was closed at 7:28 p.m. with no public comments being made.

Supt of Highways Report: The Highway Superintendent stated they’ve been busy chasing washouts on Dublin Road up in South Bay and out behind the prison, with all of the rain we’ve gotten lately; ditchwork and re-blacktopping Norton Road off Brayton Road, changing culverts on upper Dewey’s Bridge, grading dirt roads. Started mowing and are done in West Fort Ann except for Sly Pond Road. He stated that he received the annual mowing contract from Washington County from 6/1 – 11/1/15. The money they receive from Washington County is about \$3,500.00 and it does help with cover the parts and repair costs. They mow about 100 miles a year x 2. He announced that the mower is about 14 years old and he’ll probably be asking to replace it during this year’s budget for 2016. It will be about \$25,000.00 to replace.

**RESOLUTION #51-15
AUTHORIZING THE HIGHWAY SUPERINTENDENT TO CONTRACT WITH WASHINGTON COUNTY
FOR THE MOWING OF HIGHWAYS**

On motion of Councilman Varney, 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 5 Varney, Witherell, Denison, Stark, Dumas

RESOLVED, that the Highway Superintendent will contract with Washington County for the Mowing of Highways.

Councilwoman Stark thanked the Highway Department for opening the Pilot Knob Beach. Councilwoman Stark announced that both the Fort Ann Boys Baseball team and the Fort Ann Girls Softball team are headed to the Final 4. In August there will be a bike tour from Fort Edward to Fort Ann. The information about it should be out soon.

Councilman Varney had a question for the Enforcement Officer regarding number of feet from waterfront should be a septic system. The Enforcement Officer thinks through his conversations with Washington County Code Enforcement that it is 100 feet.

Councilwoman Witherell sent an Emergency Evacuation Plan the Ed Sharrow.

Councilman Denison stated he thinks the Supervisor's Blog is more of a political newsletter and he objects to it.

Enforcement Officer, Mark Miller, gave his report for the month of May which included approximately 45 phone calls and 14 emails. He stated that the month of May was very busy with building permits and a demolition permit.

Supervisor Dumas asked Virginia Parrott, Town Historian, for her report. Mrs. Parrott stated she is very happy to see the cemeteries getting attention. She wondered what Charles Friedman is dumping at night, around 6:00 p.m. – 7:00 p.m. on the County Rte 16 site. The Enforcement Officer will follow-up on this. Councilman Denison suggested contacting DEC.

Joe Loszynski, Project Manager for Hadlock, distributed his monthly progress report (on file in Town Clerk's Office if anyone would like a copy). He will present to Town Board next month the preliminary plan of hiring a dive team. On 5/19/15 the APA permit was received and recorded at the Washington County Clerk's Office and copies given to the Town Supervisor and Town Clerk. He will bring any problems as they arise to the Town Board's attention.

Old business: Supervisor Dumas received an update from the County Administrator's Officer regarding the Government Efficiency Plan. The Government Efficiency Plan was filed on May 29, 2015.

Correspondence: Supervisor Dumas received an email from Tim Hardy, Deputy Director Communications, advising of how the transition of Bill Cook's retiring as of 6/6/15 is being handled.

Supervisor Dumas received an invitation from Kittan Lodge for 6/21/15 @ 1:00 p.m. inviting her to stop in for the ArrowTour stop at Camp Wakpominee, 185 Sly Pond Road, Fort Ann.

Supervisor Dumas received a request from the Fort Ann Historical Society about possibly having Town Board meetings at the Fort Ann Rescue Squad Building because of better parking and access to the building than what is currently at the Town Hall.

Supervisor Dumas received a proposal from Morris Wells on building a new set of stairs to the basement and installing a new hand rail to the basement at the Old Stone House Library.

RESOLUTION #52-15

AUTHORIZING MORRIS WELLS TO BUILD A NEW SET OF STAIRS AND A NEW HAND RAIL TO THE BASEMENT AT THE OLD STONE HOUSE LIBRARY

On motion of Councilman Varney, seconded by Councilwoman Stark to accept resolution entitled "Resolution Authorizing Morris Wells to build a new set of stairs and a new hand rail to the basement at the Old Stone House Library"

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

Councilman Denison and Councilwoman Stark stated this is all pending proof of insurance.

RESOLVED, that the proposal presented by Morris Wells for \$450.00 for the improvements to the Old Stone House Library be accepted pending proof of insurance.

Public Discussion was opened at 8:39 p.m. with Denny Fletcher stating that he just found out last night, 6/7/15, that the dog that bit the little girl recently bit Milt Wilson while he was out walking his dog.

Arlene Green thanked the Highway Department for the wonderful job they have done cleaning the cemeteries.

Gloria Quinlan spoke of her dissatisfaction and frustration of receiving a 2015 tax bill. She thanked the board for the removal of the five (5) properties from the special district but won't be happy until she gets a refund. Councilman Denison, Supervisor Dumas and the Town Attorney have all explained to her that the paperwork was all filed timely and none of those five (5) property owners are going to get a refund.

Cliff Nelson spoke of his dissatisfaction with the Town of Fort Ann Assessor's Office when he recently purchased a piece of property. Supervisor Dumas stated she will speak to the Assessor about Mr. Nelson's concerns.

Public Discussion was closed at 8:58 p.m.

On motion of Councilman Varney, seconded by Councilwoman Witherell to adjourn at 8:59 p.m.

Motion was carried unanimously.

Total Abstracts:	General	\$35,870.65
	Highway	\$26,282.44

Respectively submitted,

Barbara J. Winchell, Town Clerk

Dated: June 19, 2015

DRAFT