

MINUTES OF THE 2012 ORGANIZATIONAL AND REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF FORT ANN HELD JANUARY 9, 2012 COMMENCING AT 7:00 P.M.

PRESENT: DARLENE Z. DUMAS, SUPERVISOR
DUANE A. BURCH, COUNCILMAN
BRUCE K. WHITNEY, COUNCILMAN
GRETCHEN R. STARK, COUNCILWOMAN
ALFRED E. DUNLOP, COUNCILMAN

OTHERS PRESENT: HELEN A. DENNO, CONFIDENTIAL SECRETARY
TO THE SUPERVISOR
PAUL E. WINCHELL, SUPT. OF HIGHWAYS

RECORDING SECRETARY: MARY JANE GODFREY, TOWN CLERK

Meeting was called to order with the Pledge of Allegiance to the Flag.

Supervisor Dumas welcomed everyone and read comments on her confidence in the Town Board and residents to work together. Supervisor Dumas stated her agenda changes; time limit on comments, public discussion and public comments and hopes that everyone will show respect. The agenda is now available to residents through the Town's web site at www.fortannfornow.com and the agenda will be available five days prior to the Town Board Meetings. As Supervisor, she is the Chief Financial Officer of the Town. Referring to the Town Attorney position; Supervisor Dumas stated in the future, an attorney will not be present at every Town Board Meeting. This will be a more cost-effective way and will save money. Legal services will be placed out for bid. (RFP) There has been controversy in the Post Star. Mr. Winchell has informed Supervisor Dumas that the individual at the center of the controversy is no longer allowed to drive any Town Highway vehicles. Mr. Winchell will report at the February 13, 2012 meeting if there is any action the Town should take.

Motion was introduced by Mr. Burch and seconded by Mr. Dunlop to open the 2012 Organizational Meeting.

Motion was carried.

Resolution No.: 2012-001 was introduced by Mr. Whitney and seconded by Mr. Dunlop to accept resolution entitled "Resolution Establishing Rules of Procedure." (Roberts Rules of Order.)

Resolution was duly adopted.

Resolution No.: 2012-002 was introduced by Ms. Stark and seconded by Mr. Dunlop to accept resolution entitled "Resolution Setting 2012 Town Board Meeting Schedule." (Second Monday of each month at 7:00 p.m. except when the second Monday is a federal holiday then the Regular Meeting will be on the second Tuesday of that month.)

Resolution was duly adopted.

Resolution No.: 2012-003 was introduced by Mr. Burch and seconded by Mr. Dunlop to accept resolution entitled "Resolution Authorizing Banking Transactions." (Glens Falls National Bank and Trust Co.)

Resolution was duly adopted.

Resolution No.: 2012-004 was introduced by Mr. Burch and seconded by Mr. Dunlop to accept resolution entitled "Resolution Authorizing Advance Approval of Claims."

Resolution was duly adopted.

Resolution No.: 2012-005 was introduced by Ms. Stark and seconded by Mr. Burch to accept resolution entitled "Resolution Authorizing Town Supervisor to File Annual Financial Report in the Town Clerk's Office."

Resolution was duly adopted.

Resolution No.: 2012-006 was introduced by Ms. Stark and seconded by Mr. Dunlop to accept resolution entitled "Resolution Designating Official Newspaper." (The Post Star.) Mr. Whitney voted "Nay."

Resolution was duly adopted.

Resolution No.: 2012-007 was introduced by Mr. Burch and seconded by Mr. Whitney to accept resolution entitled "Resolution Establishing Mileage Allowance." (\$.40 per mile.)

Resolution was duly adopted.

Resolution No.: 2012-008 was introduced by Ms. Stark and seconded by Mr. Dunlop to accept resolution entitled "Resolution Delegating Duties to the Supervisor."

Resolution was duly adopted.

Resolution No.: 2012-009 was introduced by Mr. Dunlop and seconded by Ms. Stark to accept resolution entitled "Resolution Establishing the Office of Deputy Town Supervisor."

Resolution was duly adopted.

Resolution No.: 2012-010 was introduced by Mr. Burch and seconded by Mr. Whitney to accept resolution entitled "Resolution Establishing the Office of the Deputy Town Highway Superintendent."

Resolution was duly adopted.

Resolution No.: 2012-011 was introduced by Mr. Burch and seconded by Mr. Dunlop to accept resolution entitled "Resolution Appointing Registrar of Vital Statistics and Records Access Officer." (Virginia Parrott.)

Resolution was duly adopted.

Resolution No.: 2012-012 was introduced by Mr. Dunlop and seconded by Ms. Stark to accept resolution entitled "Resolution Appointing Fort Ann Planning Board Member." (Ronald Jeckel.)

Discussion followed with Mr. Whitney requesting the name be deleted from the resolution. Town will advertise for a Planning Board Member.

Resolution No.: 2012-012 was tabled by introduction from Mr. Whitney and seconded by Mr. Dunlop.

Resolution No.: 2012-013 was introduced by Mr. Whitney and seconded by Mr. Dunlop to accept Resolution No. 2013 entitled "Resolution Appointing a Town Planning Board Chairman."

Discussion followed with Mr. Whitney requesting Resolution No. 2012-013 by tabled. Resolution No. 2012-13 was seconded by Mr. Dunlop.

Resolution No.: 2012-014 was introduced by Ms. Stark and seconded by Mr. Dunlop to accept resolution entitled "Resolution Concerning a Town Planning Board Secretary."

Discussion followed with Mr. Dunlop requesting Resolution No. 2012-014 be tabled. Resolution was seconded by Mr. Whitney.

Resolution No.: 2012-015 was introduced by Mr. Burch and seconded by Mr. Dunlop to accept resolution entitled "Resolution Authorizing the Town Supervisor to Designate a Confidential Secretary and Bookkeeper."

Discussion followed with Mr. Dunlop amending Resolution No. 2012-015 to amend Resolution 2012-015 and delete the position of Bookkeeper from Resolution No. 2012-015. Resolution was seconded by Mr. Whitney.

Roll Call:	Mr. Burch	aye
	Mr. Whitney	nay
	Ms. Stark	aye
	Mr. Dunlop	aye
	Supervisor Dumas	aye

Resolution was duly adopted with the word "Bookkeeper" deleted.

Resolution No.: 2012-016 was introduced by Mr. Burch and seconded by Mr. Dunlop to accept resolution entitled "Resolution Setting 2012 Salaries of Elected Officials and Highway Employees."

Town Supervisor	\$7,000.00
Deputy Town Supervisor	\$2,000.00
Town Council Member	\$2,790.00
Town Clerk	\$21,979.00
Town Tax Collector	\$7,650.00
Town Budget Officer	\$1,500.00

Town Justice	\$13,000.00
Town Highway Supt.	\$46,227.00
Town Deputy Highway Supt.	\$2,000.00
First Deputy Town Clerk	\$10.55 per hour
Machine Equipment Operator	\$16.15 per hour plus longevity
New Hire	\$15.15 per hour
Part-Time	\$12.10 per hour

Discussion followed with Mr. Whitney requesting the position of "Laborer" be added. Mr. Winchell stated he was happy with the way things are at present.

Resolution No. 2012-016 was duly adopted with the word "Laborer" that was suggested by Mr. Whitney be omitted.

Resolution No.: 2012-017 was introduced by Mr. Burch and seconded by Ms. Stark to accept resolution entitled "Resolution Authorizing Fire Protection Contracts."

Mr. Dunlop abstained.

Resolution was duly adopted.

Resolution No.: 2012-018 was introduced by Mr. Burch and seconded by Ms. Stark to accept resolution entitled "Resolution Authorizing Contract and Payment with Penflex for purpose of LOSAP program for West Fort Ann and Pilot Knob Fire Districts." Mr. Dunlop abstained.

Resolution was duly adopted.

Resolution No.: 2012-019 was introduced by Mr. Whitney and seconded by Mr. Burch to accept resolution entitled "Resolution Appointing Town Health Officer." (Dr. David L. Foote, MD.)

Resolution was duly adopted.

Resolution No.: 2012-020 was introduced by Mr. Dunlop and seconded by Ms. Stark to accept resolution entitled "Resolution Approving Request for Proposal for Town Legal Counsel."

Discussion followed and resolution duly adopted, not tabled.

Resolution NO.: 2012-021 was introduced by Mr. Dunlop and seconded by Ms. Stark to accept resolution entitled "Resolution Approving Request for Proposal for Professional Engineer."

Resolution was duly adopted.

Resolution No.: 2012-022 was introduced by Mr. Whitney and seconded by Ms. Stark to accept resolution entitled "Resolution Authorizing Official Undertaking."

Resolution was duly adopted.

Motion was introduced by Ms. Stark and seconded by Mr. Dunlop to close the 2012 Organization Meeting at 7:38 p.m.

Motion was carried.

Motion was introduced by Mr. Burch and seconded by Mr. Dunlop to open the Regular Town Board at 7:38 p.m.

Motion was carried.

Motion was introduced by Mr. Whitney and seconded by Mr. Dunlop to approve the minutes of December 28, 2011.

Motion was carried.

Motion was introduced by Mr. Burch and seconded by Ms. Stark to pay bills as warranted and audited.

Motion was carried.

Monthly Statement to Supervisor for December, 2011 will be submitted to anyone upon request.

Supervisor Dumas stated there will be seven Citizens Advisory Committee; Agriculture and six others which were listed and will contain one Town Board Member.

Town Clerk's Report:

Town Clerk will order three new name plates from Staples for Supervisor Dumas, Councilwoman Stark and Councilman Dunlop at a cost of \$17.99 each.

Public Comments:

Gene Connell, Hadlock Pond Rd., Fort Ann, NY congratulated the new members and stated the 2012 tax bills have an increase of \$1,000.00 per property for Hadlock residents, which contains 279 owners. Mr. Connell requested a public meeting with the Town Board on how the recent settlement in the court proceedings on the Hadlock breach is applied to the outstanding charges for the cost of repair to the Dam and also how the 23.7% liability is going to be applied.

John Pettica, no address given, commented on the invasive species in Lake George, stated tourism would be affected and requested the Town Supervisor draft an ordinance against the transporting of invasive species.

Eileen Webb, Buttermilk Falls Road, Fort Ann, NY questioned if the Planning Board stays as usual.

Duane J. Vaughn, Tripoli Rd., Fort Ann, NY questioned if the Town Board Meeting are the same as last year; the second Monday of every month and was told "Yes."

Public Comment section was closed at 7:52 p.m.

Highway Safety Committee:

Mr. Winchell reported on work on roads, minor breakdowns, brush cutting on West Road, painting and repairs at the Town Hall and other work completed.

Virginia Parrott, County Rte. 16, Fort Ann, New York, the Town's Historian, explained her job description; to collect and compile the history of the Town of Fort Ann. Ms. Parrott now is deeply involved in the Battle Hill Project – historical burial sites which should be saved. Said site is now being mined. Ms. Parrott stated the site is a priority two. The Town has the backing of the State Historians Office, the Park and Recreation and the American Battlefield Association and now, the support of the Saratoga Battlefield Association.

Resolution No.: 2012-023 was introduced by Mr. Whitney and seconded by Mr. Burch for the law firm of FitzGerald Morris Baker and Firth, P.C. to continue as the Town of Fort Ann Counsel at the same rate until one is appointed as a result of a Request for Proposal (RFP) with Supervisor Darlene Z. Dumas as the single point of contact for the Fort Ann Town Board.

Roll Call:

Mr. Burch	aye
Mr. Whitney	aye
Ms. Stark	aye
Mr. Dunlop	aye
Supervisor Dumas	aye

Resolution was duly adopted.

The Planning Board procedure was discussed.

Correspondence was received; APA and Lake George Park Commission applications received.

Supervisor's Appointments:

Deputy Town Supervisor	Gretchen R. Stark
Historian	Virginia Parrott

Town Clerk's Appointment:

Deputy Town Clerk	Inez A. Mattison
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Deputy Highway Superintendent
Appointment:

Roland LaPointe

A site for the Town Supervisor's office will be studied.

Washington County:

Supervisor Dumas has attended many meetings and is on five committees; Audit, Community College, Tourism and Agriculture & Government Operations.

There is still discussion taking place on the sale of the Pleasant Valley Infirmary.

Supervisor Dumas will give a report of activities of Washington County to the Town Board Members and will take any concerns anyone may have to the said County.

Public Discussion opened at 8:15 p.m.

Diane Moore, Summer Way, Fort Ann, NY spoke on agreeing with Mr. Pettica's concerns with the invasive species issue.

Cliff Nelson, no address given, spoke on Supervisor's Report, audit and asked if the Town Supervisor feels she has received all of the previous Supervisor's Town records. Supervisor Dumas stated she may have more paperwork if she knew everything that has transpired.

Dennis Fletcher, Morgan's Lane, Comstock, NY stated there is no signage on Morgan's Lane and that it is a dead-end road. Mr. Fletcher also would like a speed limit be placed on the same road with a 20 mph speed limit. Mr. Winchell gave the steps that must be taken with the State to have a speed limit. Mr. Winchell also stated he can place a dead-end sign on Morgan's Lane in Comstock.

Joe Traskis, Thomas Road, Comstock, NY stated there are no bus or farm signs on Thomas Road. Mr. Traskis stated farm equipment has been stolen. Mr. Winchell stated one has to contact the State and Supervisor Dumas stated she will investigate this issue.

Richard Moore, Summer Way, Fort Ann, NY commented on the large increase in taxes this year. Hadlock District residents have not been informed as to what one is taxed for. Mr. Moore stated the Town took out three loans in the amount of \$5,897,000.00 and wonders how it is possible that the Town owes this \$5,897,000.00. Mr. Moore also discussed a grant the Town received and how it was applied. Mr. Moore questioned money applied to the loan principals. As to Goodman Road; Mr. Moore questioned why the residents in the Hadlock Park District had to pay for said Goodman Road. Mr. Moore requested a public meeting with the Town Board to explain what happened with all monies since the Hadlock Dam breach. Grant monies were questioned totaling \$420,000.00 for two settlements; Kubricky Construction Corp. and HTE Engineers. Mr. Burch believes it was put in an investment account. Mr. Moore spoke on the two faxes he sent to previous Supervisor, Gayle Hall on not answering three questions concerning why should the first million dollars of any settlement for the Dam go to Goodman Road, how much money it cost for repair Goodman Road and where did the money come from to pay for the repair to Goodman Road. Mr. Moore requested Supervisor Dumas to contact the State of New York for an audit of all transactions taken place and requested a meeting with Supervisor Dumas on outstanding issues. Supervisor Dumas agreed with having a meeting.

Supervisor Dumas thanked Jeannette Nadeau for her fine work on January 1, 2012 Swearing-in Ceremony.

Cliff Nelson commented that he liked the way the Town Board and Supervisor Dumas conducted tonight's meeting.

Public Discussion closed at 8:35 p.m.

Motion was introduced by Ms. Stark and seconded by Mr. Burch to adjourn at 8:37 p.m.

Motion was carried.

Total Abstracts:	General	\$9,952.31	Highway	\$2,553.16
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Respectfully submitted,

Dated: January 18, 2012

Mary Jane Godfrey, Town Clerk
Town of Fort Ann, New York