

MINUTES OF THE REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF FORT ANN HELD APRIL 9, 2012 COMMENCING AT 7:03 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: PAUL WINCHELL, SUPT. OF HIGHWAYS

RECORDING SECRETARY: MARY JANE GODFREY, TOWN CLERK

ABSENT: HELEN DENNO, CONFIDENTIAL SEC.; SUPERVISOR

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

A moment of silence was held for all deceased persons in Fort Ann.

Motion was introduced by Ms. Stark and seconded by Mr. Dunlop to open the Regular Town Board Meeting.

Ayes: 5 Nays: 0 Abstentions: 0 Absent: 0

Motion was carried.

Motion was introduced by Mr. Dunlop and seconded by Mr. Burch to approve the Minutes of March 12, 2012 with corrections:

Page 17 – Page 11 of Resolution No. 2012-102 of the Organizational Meeting should read “Resolution was not adopted.”

Page 17 – Page 15 should read “that,” not “than” under New Business.

Page 20 – Resolution No. 2012-028 should not include the 30 mph; no speed was stated.

Ayes: 5 Nays: 0 Abstentions: 0 Absent: 0

Motion was carried.

Motion was introduced by Mr. Dunlop and seconded by Mr. Whitney to approve the Minutes of March 20, 2012.

Ayes: 5 Nays: 0 Abstentions: 0 Absent: 0

Motion was carried.

Motion was introduced by Mr. Burch and seconded by Mr. Dunlop to pay the bills as warranted and audited.

Ayes: 5 Nays: 0 Abstentions: 0 Absent: 0

Motion was carried.

Supervisor's Report: Monthly Statement to Supervisor for March, 2012 was distributed to all the Town Board Members and Town Clerk. Copies may be obtained upon request. The new website for the Town is fortannfornow.com. The agenda, minutes, financial statement, committee information and other information will be placed on the website.

Public Comments: As to the previous Town Board Meeting on the request for speed limit on Morgan's Lane; Mr. Winchell has contacted the persons at the Department of Transportation that handles this issue and stated the steps that must be followed for a speed reduction. Also, a study will be done on the school bus signs on State Rte. 22 as per the previous meeting.

Supervisor stated she has received 75 phone calls this month; a reduction from the previous months.

The premium for Hadlock Pond Dam has been paid.

Northern Insuring Agency, Inc., agent for the Town, will meet with Supervisor Dumas Friday, April 13, 2012 on insurance for the Town.

Supervisor Dumas has received correspondence from a person from the Hadlock Pond Road stating there is a resident on the Town's property that is burning brush and cutting trees. Mr. Winchell stated the Town does not own property in that area.

Supervisor Dumas has contacted the Town's law firm, Fitzgerald, Morris, Baker and Firth, P.C. regarding the litigation due to the Hadlock Dam breach.

A newsletter will be sent to all the residents quarterly.

Supervisor Dumas has signed the renewal Bond Anticipation Note for the grader.

Town Clerk's Report was read for the month of March, 2012.

Public Comment was opened at 7:18 p.m.

A gentleman from the Washington County Historical Society spoke on the upcoming re-enactment, round table discussion that will occur April 28, 2012 at the Fort Ann Central School at 11:00 a.m. to 4:00 p.m. with the round table discussion from 1:00 to 4:00 p.m. The public is invited.

Public Comment section was closed at 7:26 p.m.

Highway Superintendent Report: Mr. Winchell reported on work; grading on Hogtown Road, brush cutting completed on West Road and Thomas Road, brush to be cut on Tripoli by Washington County which will also be blacktopped soon.

Virginia Parrott, Fort Ann Historian, spoke on Battle Hill battlefield and confirmed that Paul Hawke will be in the area of Fort Ann Tuesday, April 17, 2012 in the afternoon to tour the said battlefield. The public meeting will take place at 4:00 p.m. Mr. Hawke is the representative of the Department of the Interior, National Park Service and American Battlefield Association in Washington, D.C.

Old Business: None.

New Business: Supervisor Dumas announced the following appointments:

Attorney for the Town: John Aspland, Jr. (will remain as Attorney for the Town for the remainder of this fiscal year.)
Engineer for the Town: Jarrett Engineering (will remain as Engineer for The remainder of this fiscal year.)
Planning Board Clerk: Mabelle Drinkwine (will remain as Planning Board Clerk for the remainder of this fiscal year.)

Representing the West Fort Ann Volunteer Fire Company, Inc.; Matt LaPointe, Floyd Ladd and David Gould were present requesting replacing their old fire truck with a resolution from the Town authorizing the purchase of a new rescue truck for a loan of 10 years in the approximate cost of \$380,000.00. Mr. LaPointe discussed the manufacturers, features, delivery of the truck and other points of interest.

Howard Denison agreed that the said Fire Company should be awarded the amount for a new truck. This issue was tabled for the May 14, 2012 Town Board Meeting. A meeting of the said Fire Company and the Town Board will take place on April 18, 2012 at 6:30 p.m. at the West Fort Ann Fire House.

Code of Ethics/Board of Ethics: Mr. Dunlop spoke on his draft of the Town of Fort Ann Code of Ethics which will also be on the Town's website. The said Code will be reviewed and discussed at the May 14, 2012 Town Board Meeting. This is the same Code as the one on the State Comptroller's website. The State Comptroller states that towns have to have a Board of Ethics and a Code of Ethics. The law states that more than ½ the people have to not be on the Town Board or whatever organization it has that has the Board of Ethics.

Streetscape and Waterfront Park: The Town has a grant for both projects. Mr. Dunlop stated if the Town does not do these two projects, the Town will lose the streetscape and it will go to another town and the Department of State will never give the Town of Fort Ann another grant for a sidewalk in the foreseeable future.

Proclamation: A proclamation for Bernard Wylie, Jr., was read and will be presented to Mr. Wylie commending his 40 years of service to the Town and surrounding communities during his tenure as a West Fort Ann Volunteer Fire Department volunteer.

Correspondence: Supervisor Dumas received a letter from the law firm of Bartlett, Pontiff, Stewart and Rhodes on the request for the Local Government Notice to be sent to APA; Notice has been sent.

The newly appointed Engineer for the Town; Jarrett Engineering's contract is to be signed in the near future.

An Industrial Museum is being formed and items are welcome. The building to house the items will be built.

Washington County Sheriff Department: Jeff Murphy, Sheriff, is requesting a liaison from each town to improve the lines of communications of the said Department and the Town.

Pollution of the Hudson River by Finch Pruyn was stated.

Rabies Clinics: Fort Ann will hold a Rabies Clinic Saturday, September 8, 2012 from 9:30 a.m. to 12:30 p.m. at the Town Garage.

Supervisor Dumas has attended several meetings at the County.

Public Discussion was opened at 8:24 p.m. Eugene Ouderkirk, Fort Ann, NY stated as to the Industrial Museum; he would like to donate lock(s) from the Canal to the museum.

Gene Connell, Hadlock Pond Road, Fort Ann, NY spoke on the streetscape/waterfront projects and questioned if it is combined, would there be one separate contract. Also comments were received on payment, total cost and other comments as to said Project. Mr. Dunlop is investigating all aspects.

Howard Denisen commented on the Board of Ethics and questioned if the Town objects to this. Mr. Whitney stated there are enough laws at present. Supervisor Dumas and Ms. Stark did not object to the Town adopting a Code of Ethics. Mr. Dunlop stated that in his career he had to sign a Code of Ethics and stated this is a common practice to sign and also stated if the Code was adopted, the said Code would be in place if the Town needed it.

Mr. Connell stated the information from the State Comptroller states that the Town shall have a Code of Ethics; it is the law.

Terry Barber, Fort Ann, NY questioned the status of the sale of the Pleasant Valley Infirmary and Home Health Care. Supervisor Dumas stated the first concern of the Board of Supervisors is the patients and their families.

Public Discussion was closed at 8:32 p.m.

Motion was introduced by Mr. Burch and seconded by Ms. Stark to go into Executive Session at 8:33 p.m. to discuss litigation concerning Hadlock Dam.

Ayes: 5 Nays: 0 Abstentions: 0 Absent: 0

Motion was carried.

Motion was introduced by Mr. Dunlop and seconded by Ms. Stark to go out of the Executive Session at 9:53 p.m. and return to the Regular Town Board Meeting.

Ayes: 5 Nays: 0 Abstentions: 0 Absent: 0

Motion was carried.

Motion was introduced by Mr. Dunlop and seconded by Mr. Whitney to adjourn at 9:54 p.m.

Ayes: 5 Nays: 0 Abstentions: 0 Absent: 0

Respectfully submitted,

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

Dated: April 12, 2012