

MINUTES OF THE REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF FORT ANN HELD MAY 14, 2012 COMMENCING AT 7:01 P.M.

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

OTHERS PRESENT: HELEN DENNO, CONFIDENTIAL SECRETARY TO THE SUPERVISOR

RECORDING SECRETARY: MARY JANE GODFREY, TOWN CLERK

ABSENT: PAUL WINCHELL, SUPERINTENDENT OF HIGHWAYS

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

Motion was introduced by Mr. Burch and seconded by Ms. Stark to approve the minutes of the Regular Town Board Meeting of April 9, 2012.

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

Motion was carried.

Motion was introduced by Ms. Stark and seconded by Mr. Burch to approve the minutes of the Special Town Board Meeting of April 18, 2012.

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

Motion was carried.

Motion was introduced by Ms. Stark 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:

Temporary Employees are now to be paid through the payroll system.  
Supervisor Dumas received 65 phone calls for the month of April, 2012.  
Northern Insuring Agency, Inc. has proposals to be studied by the Supervisor.  
The Town of Fort Ann received a Certificate of Appreciation from the West Fort Ann Fire Company.  
Supervisor Dumas has attended a meeting on the Battle Hill Project and also attended the West Fort Ann Fire Company Board Meeting.

#### Town Clerk's Report:

Report for April, 2012 was read by the Town Clerk.

The Dog Control Officers will be notified on the delinquent dogs in the Town.

Public Comment Section was opened at 7:08 p.m.

Gary Taylor, South Bay Road, Fort Ann, NY commented on the change of the agenda on the Town's website. Supervisor Dumas stated this is subject to change.

A request for a resolution on the South Bay Harris Pit was tabled until the June 11, 2012 Meeting.

A request for a letter from Supervisor Dumas to be sent to APA opposing the expansion by the Harris Pit, South Bay Road, Fort Ann, NY. Mr. Taylor spoke on the welfare, health, safety and gave a statement on the number of trucks that use the said Road; specifically the increase of the number of trucks used. This would be an increase of 800%, an increase of 8 1/2 hours per week and 37,000 coming to and from the Harris Pit. Supervisor will send a letter to APA as requested. The Planning Board can do nothing on this issue. Dick Wilson of the Washington County Public Safety will place speed signs (45 mph) on this road.

Timothy Gusek, South Bay Road, Fort Ann, NY submitted pictures of said Road and it showed skid marks and passing on double solid lines. Mr. Gusek stated this is a dangerous situation.

Christine Milligan spoke on the trucks using the Road day and night.

Virginia Parrott, County Rte. 16, Fort Ann, NY stated the South Bay Bridge is not safe for truck traffic.

Linda Richardson, Fort Ann Village, Fort Ann, NY spoke on poor air quality due to the trucks and wishes this issue be considered.

Cindy Allen, Hadlock Pond Road, Fort Ann, NY spoke on the Waterfront Park; gave information on if a resolution was adopted. Ms. Allen gave steps that have already been completed with the Waterfront Park and stated she believes the proposed new resolution has not been discussed with the Village Mayor, Richard Foran.

Public Comments Section was declared closed at 7:26 p.m.

#### Highway Report:

Mr. Winchell submitted a report to Supervisor Dumas on the work to be done and work completed, a report on Rathbunville Road, grading, new front tires and training for him and some of his Highway Employees.

Municipal Agreement between the Town of Fort Ann and the Town of Whitehall for shared services was accepted for plowing and any other work needed.

#### Fort Ann Beach:

Ms. Stark reported the Renewal for the said Beach will be received from the Department of Health very soon. Ms. Stark questioned if she could legally work at the Beach. A question arose if an elected official

could work and if payment is included. Supervisor Dumas will contact the Town Attorney on these issues.

Aquatic Invasive Species: Mr. Dunlop spoke on said species, a boat cleaning station for the use of boats on Lake George; boats must be cleaned, drained and dried to go into the Lake. This pertains only to Lake George. Regulations will be in effect in the future.

Battle Hill Project: Virginia Parrott, Town Historian, stated Paul Hawke who is the representative of the Department of the Interior, National Park Service and American Battlefield Association in Washington, D.C., has stated that the Battle Hill site should be preserved at all costs. (The site is where the Troy Topsoil is excavating at the said Battle Hill site.) Grant monies are available. Ms. Parrott has received information on a person who can assist in this project pro bono. The American Legion is backing the Battle Hill Project but has to file as a non-profit organization to get grant money. A resolution was adopted by the Fort Ann Town Board in November, 2012 backing this project. Ms. Parrott stated slag has been put into the river. A petition for a permissive referendum was submitted to Ms. Parrott.

New Business:

A draft of the Town of Fort Ann Code of Ethics was discussed. Washington County's Code of Ethics was submitted by Mr. Whitney. Mr. Dunlop has studied other town's Code of Ethics.

Resolution No. 2012-031 was introduced by Mr. Dunlop and seconded by Ms. Stark to accept the Town of Fort Ann Code of Ethics.

Roll Call:	Mr. Burch:	Aye
	Mr. Whitney:	Nay
	Ms. Stark:	Aye
	Mr. Dunlop:	Aye
	Supervisor Dumas:	Aye

Resolution was duly adopted.

Resolution No. 2012-032 was introduced by Mr. Dunlop and seconded by Mr. Burch for the Town of Fort Ann to create a Town of Fort Ann Board of Ethics.

Roll Call:	Mr. Burch:	Aye
	Mr. Whitney:	Nay
	Ms. Stark:	Aye
	Mr. Dunlop:	Aye
	Supervisor Dumas:	Aye

Resolution was duly adopted.

Buoys for Lake Hadlock were discussed.

Resolution No. 2012-033 was introduced by Mr. Burch and seconded by Mr. Dunlop to approve the purchase of three (3) buoys for Lake Hadlock at a cost of \$516.81 requested by the Lake Hadlock Association Executive Board.

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

Resolution was duly adopted.

Old Stone House Library: Committee submitted a list of repairs needed in the amount of \$500.00 and stated volunteers are needed for the said repairs. Supervisor Dumas will contact Dick Look of the Town's insurance agency on this issue.

Forestry Project: The State and Federal grants are available for the forestry project and must be submitted by June 21, 2012 for trees, tree planting, etc.

Petition for paving of Cartier Lane, Fort Ann, NY was submitted with 15 signatures. The petitioners requested the money be placed in the Town's Budget. Mr. Winchell will receive this information.

Waterfront Park was discussed/spoken by Mr. Dunlop on forming a committee for this project. The site is located at the junction of Anne Street and the Champlain Canal.) The proposed amount for this project is \$16,000.00 for the Town and Village of Fort Ann. A lengthy discussion followed.

Resolution No. 2012-034 was introduced by Mr. Dunlop and seconded by Ms. Stark to set a committee chaired by a Town Board Member and to put together detailed proposals that are necessary for the Waterfront Park Project to move forward. (See attached.) Mr. Burch is concerned about putting effort and time into this project when the Town does not own the land. Mr. Dunlop has contacted the Canal Corporation and they assured him they will not bother the Town. A Memorandum of Understanding is in the process. The Canal Corporation is controlled by the Department of Army Corp of Engineers. Wet lands were discussed and were a concern. The LA Group has studied the wet lands and the Town should follow their rules according to Mr. Dunlop. There needs to be a shift in the Waterfront Park Committee. Persons on the present Committee should stay on if they choose.

Resolution was duly adopted.

The Streetscape Contract expires 12/31/2012.

The Waterfront Park Contract expires 03/31/2013.

Resolution No. 2012-035 was introduced by Mr. Dunlop and seconded by Ms. Stark to amend Resolution No. 2012-034 to add the name of Alfred E. Dunlop as Chairperson for the Waterfront Park Project.

Roll Call:	Mr. Burch	Aye
	Mr. Whitney	Aye
	Ms. Stark	Aye

Mr. Dunlop                      Abstain  
Supervisor Dumas              Aye

Resolution No. 2012-035 was duly adopted.

Mr. Dunlop spoke on the LA Group, shift in persons that contract, persons continuing that are on the Waterfront Park Committee, the reason for this resolution is there has been no activity in a long time with this Park Committee. Charles Allen explained the reason for the Streetscape permit soon to expire. Mr. Dunlop stated there is a case of emergency in this issue. There are many questions to be answered before the Town loses the grant money. Cindy Allen, the present Chairperson, spoke on why there has been nothing done with this project which is due to Supervisor Dumas not being informed as to the 2012 Town Budget, thus, the project was on hold. A lot of work has been done.

Correspondence/Miscellaneous:

A letter was received from George Smith on the Assessor's Office not being opened to discuss the time limits and requirements for filing a Grievance and also on combining 2 properties at 372 Hadlock Pond Road.

Dewey's Bridge: There are no plans to replace the said Bridge according to Washington County.

Washington County: The sale of the Pleasant Valley Infirmary is not going through.

There is twenty (20) acres available in the Town on State Rte. 149 in West Fort Ann that a person from Warren County is interested in purchasing and perhaps place a manufacturing commercial operation on the site. Supervisor Dumas has disagreed with some supervisors in the County to sell the property for excavating. The committee decided to put the 20 acres on the market for an amount starting at \$40,000.00.

Public Discussion Section was opened at 8:50 p.m.

Howard Denison requested the Town Board reconsider the fees for major subdivision for recreation. The Town does not have recreation fees. Mr. Dunlop stated the Town has the Fort Ann Beach as a Recreation fee which is \$12,000.00 per year.

Linda Richardson, Village of Fort Ann, NY spoke on the Battle Hill Project; said Project mining would destroy windows, disturb the Village and also the possibility of cracked foundations during the blasting.

Irene Taylor, South Bay Road, Fort Ann, NY spoke on the Ethics Board; names to serve and if the terms would be for the end of the year or longer. Supervisor Dumas stated the term would be until the end of the year.

Eugene Ouderkirk, Clay Hill Road, Fort Ann, NY stated he would like to be on the Waterfront Park Commission and requested Cindy Allen remain in a joint role.

Mrs. Denison asked why the Town board appoints themselves instead of the present committee and that the Town should rescind the resolution for Mr. Dunlop to serve as Chairperson for the Waterfront

Park Committee and to let the committee decide who to appoint as their own Chairperson. Mrs. Denison also requested the Board retain Cindy Allen.

Ms. Taylor spoke on the Troy Topsoil situation.

George Sherwood, State Rte. 4, Fort Ann, NY spoke on a coin drop the Fort Ann Fire Company had and that the trucks were slowing up traffic, not the coin drop.

Ms. Parrot requested the hours for the Right to Farm Law; it was stated "Anytime" according to Mr. Whitney.

Motion was introduced by Mr. Burch and seconded by Ms. Stark to adjourn at 9:16 p.m.

Motion was carried.

Total Abstracts:	General	\$ 7,199.01
	Highway	\$32,083.18

Respectfully submitted,

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

Dated: May 23, 2012