

RESOLUTION ESTABLISHING RULES OF PROCEDURE

RESOLUTION NO.: 2013-001

INTRODUCED BY: _____, **WHO MOVED ITS ADOPTION**

SECONDED BY: _____

AYES: _____ **NOES:** _____ **ABSENT:** _____ **ADOPTED:** _____

WHEREAS, the Fort Ann Town Board wishes to designate procedural rules for the conduct of Town Board meetings and Town business by Town Board members,

NOW, THEREFORE, BE IT

RESOLVED, in accordance with the authority granted by New York State Town Law §63, the Fort Ann Town Board hereby designates Robert's Rules of Order as its official rules of procedure for the year 2013, except that in the event of conflict between such Rules and the Town Law or a Resolution of this Board, the provisions of the Town Law or Board Resolution shall govern, and

BE IT FURTHER,

RESOLVED, that it is recognized and clarified that the Town Supervisor establishes the Town Board meeting agendas and chairs these meetings, and

BE IT FURTHER,

RESOLVED, that disruptive or uncivil behavior by anyone in meeting attendance is prohibited and that at her discretion the Town Supervisor may take such action as necessary to maintain a level of decorum and professionalism, including but not limited to, declaring a temporary recess of the meeting, and

BE IT FURTHER,

RESOLVED, that the Town Supervisor may create and make appointments to sub-committees of the Town Board in an effort to increase efficiency of government, and

BE IT FURTHER,

RESOLVED, that unless procedures established in Town Code provide otherwise, either the Supervisor or a resolution of the Town Board can refer a matter to the Highway Superintendent or to the Planning Board or to another committee for review and recommendation back to the Town Board.

RESOLUTION SETTING 2013 TOWN BOARD MEETING SCHEDULE

RESOLUTION NO.: 2013-002

INTRODUCED BY: _____, **WHO MOVED ITS ADOPTION**

SECONDED BY: _____

AYES: _____ **NOES:** _____ **ABSENT:** _____ **ADOPTED:** _____

WHEREAS, the Fort Ann Town Board wishes to establish its 2013 meeting schedule,

NOW, THEREFORE, BE IT

RESOLVED, in accordance with New York State Town Law §62, the Fort Ann Town Board hereby establishes its 2013 meeting schedule as follows:

1. Regular meetings shall occur on the 2nd Monday of each month at 7:00 p.m. at the Fort Ann Town Hall except that when the 2nd Monday of a month is a federal holiday then the regular meeting will be held on the 2nd Tuesday of that month. At regular meetings, public hearings will be held, Resolutions and motions will be proposed and/or adopted, miscellaneous matters will be discussed and the general public will typically be provided with a privilege of the floor comment session. The privilege of the floor session will be limited to Town matters only and will be run at the discretion of the Town Supervisor.

2. The Town Board shall schedule other special meetings for any purpose established by Town Board Resolution and/or in accordance with the New York State Town Law. The Town shall notify the media of the special meeting accordingly as required by the New York State Open Meetings Law.

3. If the Town Board decides to alter its regular meeting schedule, it will do so by Town Board Resolution and will notify the public and media by appropriate public notice.

RESOLUTION AUTHORIZING BANKING TRANSACTIONS

RESOLUTION NO.: 2013-003

INTRODUCED BY: _____, **WHO MOVED ITS ADOPTION**

SECONDED BY: _____

AYES: _____ **NOES:** _____ **ABSENT:** _____ **ADOPTED:** _____

WHEREAS, New York State Town Law Paragraph 64, Subdivision 1, requires the Town Board to annually designate its Depositories for Town Funds, and

WHEREAS, in accordance with prudent business and cash management practices the Fort Ann Town Board wishes to formally specify the authorities under which business may be transacted with these Depositories,

NOW, THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board hereby authorizes and directs the following actions:

1. The following individuals, in their official capacities, are authorized to transact the financial and banking business of the Town of Fort Ann in accordance with all applicable laws and organization documents, and the specific authorities granted by this Resolution:

- Darlene Dumas, Supervisor
- Deputy Supervisor
- Town Budget Officer
- Clerk to the Supervisor

2. The following bank is hereby designated as an approved Depository:

Glens Falls National Bank and Trust Company

3. The Town Supervisor and the Town Budget Officer are both hereby authorized to initialize opening a bank account or accounts from time to time with authorized banks and their affiliates for and in the name of the Town of Fort Ann with such title or titles as he/she may designate so long as the title includes "The Town of Fort Ann" or some reasonable abbreviation thereof, and to execute depository contracts that comply with Town Policy and operating procedures.

BE IT FURTHER,

RESOLVED, that the Town Board further authorizes and directs the Town Supervisor, Deputy Town Supervisor and/or Town Budget Officer to take any and all action necessary to effectuate all terms of this Resolution.

RESOLUTION AUTHORIZING ADVANCE APPROVAL OF CLAIMS

RESOLUTION NO.: 2013-004

INTRODUCED BY: _____, **WHO MOVED ITS ADOPTION**

SECONDED BY: _____

AYES: _____ **NOES:** _____ **ABSENT:** _____ **ADOPTED:** _____

WHEREAS, the Fort Ann Town Board sees a need to allow payment of certain bills ahead of the regular Town Board audit in order to ensure the continuance of insurance coverages, avoidance of late charges and timely delivery of certain shipments and mailings, and

WHEREAS, the Town Board wishes to authorize payment in advance of audit of claims for public utility services, health, dental, workers' compensation, disability and unemployment insurance premiums, debt service payments, postage, freight and express charges, and

WHEREAS, Town Law §64(23) and §118 allow for such payments, and

WHEREAS all such claims shall be presented at the next regular meeting for audit, and

NOW THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board hereby authorizes the payment in advance of audit of claims for such premiums for policies that would otherwise lapse before audit, incur late charges, postage, freight and express charges and all such claims shall be presented at the next regular meeting for audit, and

BE IT FURTHER,

RESOLVED, that this Resolution shall take effect immediately, and

BE IT FURTHER,

RESOLVED, that the Town Board further authorizes and directs the Town Supervisor and/or Town Budget Officer to take any actions necessary to effectuate the terms of this Resolution.

RESOLUTION AUTHORIZING TOWN SUPERVISOR TO FILE ANNUAL FINANCIAL REPORT IN TOWN CLERK'S OFFICE

RESOLUTION NO.: 2013-005

INTRODUCED BY: _____, WHO MOVED ITS ADOPTION

SECONDED BY: _____

AYES: _____ NOES: _____ ABSENT: _____ ADOPTED: _____

WHEREAS, New York State General Municipal Law §30 requires the Town Supervisor to file the Town's Annual Financial Report in the Town Clerk's Office on or before April 30, 2013 in lieu of filing a separate financial report with the Town Clerk by February 28th, 2013 as required by New York State Town Law §29,

NOW, THEREFORE, BE IT

RESOLVED, in accordance with New York State General Municipal Law §30, the Fort Ann Town Board hereby authorizes and directs the Town Supervisor to file a copy of the Annual Financial Report to the State Comptroller with the Town Clerk's Office on or before April 30, 2013.

RESOLUTION DESIGNATING OFFICIAL NEWSPAPER

RESOLUTION NO.: 2013-006

INTRODUCED BY: _____, WHO MOVED ITS ADOPTION

SECONDED BY: _____

AYES: _____ NOES: _____ ABSENT: _____ ADOPTED: _____

WHEREAS, New York State Town Law §64, Subdivision 11 requires the Town Board to designate an official newspaper for the Town,

NOW, THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board hereby designates *The Post-Star* as the Town of Fort Ann's official newspaper.

RESOLUTION ESTABLISHING MILEAGE ALLOWANCE

RESOLUTION NO.: 2013-007

INTRODUCED BY: _____, **WHO MOVED ITS ADOPTION**

SECONDED BY: _____

AYES: _____ **NOES:** _____ **ABSENT:** _____ **ADOPTED:** _____

WHEREAS, New York State Town Law §116 requires the Town Board to establish a mileage allowance for the use of Town employees' personal automobiles in the performance of employees' duties when a Town Fleet Management vehicle is unavailable,

NOW, THEREFORE, BE IT

RESOLVED, in accordance with New York State Town Law §116, the Fort Ann Town Board hereby establishes the amount of 40¢ per mile to be allowed for the actual and necessary use of Town employees' personal automobiles in the performance of employees' duties.

RESOLUTION DELEGATING DUTIES TO THE SUPERVISOR

RESOLUTION NO.: 2013-008

INTRODUCED BY: _____, **WHO MOVED ITS ADOPTION**

SECONDED BY: _____

AYES: _____ **NOES:** _____ **ABSENT:** _____ **ADOPTED:** _____

WHEREAS, the Town Board recognizes the need for the Town to function efficiently between Town Board meetings, and,

WHEREAS, the Town Board recognizes the need for the Town to be able to respond swiftly to Town emergencies, and,

WHEREAS, Town Law §29(16) specifies that the Town Board may, by resolution, delegate to the supervisor the power and duties of administration and supervision of the Town and any Districts contained within it to allow the Town to function between Town Board meetings,

NOW, THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board does delegate to the Town Supervisor the power and duties of administration and supervision of the Town and any Districts contained within it, providing that the Town Board may not and does not abdicate to the Supervisor or Surrender to her the Board's basic statutory responsibilities.

RESOLUTION ESTABLISHING THE OFFICE OF THE DEPUTY TOWN SUPERVISOR

RESOLUTION NO.: 2013-009

INTRODUCED BY: _____, WHO MOVED ITS ADOPTION

SECONDED BY: _____

AYES: _____ NOES: _____ ABSENT: _____ ADOPTED: _____

WHEREAS, New York State Law §42 provides that the Town Board can establish the Office of Deputy Town Supervisor, said position to be filled by an appointment of the Town Supervisor, and,

WHEREAS, the Deputy Town Supervisor shall be vested with all of the powers and may perform all of the duties of the Town Supervisor in his/her absence,

NOW, THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board does establish the Office of the Deputy Town Supervisor.

RESOLUTION ESTABLISHING THE OFFICE OF THE DEPUTY TOWN HIGHWAY SUPERINTENDENT

RESOLUTION NO.: 2013-010

INTRODUCED BY: _____, WHO MOVED ITS ADOPTION

SECONDED BY: _____

AYES: _____ NOES: _____ ABSENT: _____ ADOPTED: _____

WHEREAS, New York State Law §32(2) provides that the Town Board can establish the Office of Deputy Town Highway Superintendent, said position to be filled by an appointment of the Highway Superintendent,

NOW, THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board does establish the Office of the Deputy Town Highway Superintendent.

RESOLUTION APPOINTING REGISTRAR OF VITAL STATISTICS AND RECORDS ACCESS OFFICER

RESOLUTION NO.: 2013-011

INTRODUCED BY: _____, WHO MOVED ITS ADOPTION

SECONDED BY: _____

AYES: _____ NOES: _____ ABSENT: _____ ADOPTED: _____

WHEREAS, in accordance with New York State Public Health Law §4121(3)(a), the Fort Ann Town Board wishes to reappoint Virginia Parrott as Registrar of Vital Statistics and Records Access Officer,

NOW, THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board hereby reappoints Virginia Parrott as Registrar of Vital Statistics and Records Access Officer to serve at the pleasure of the Board, and

BE IT FURTHER

RESOLVED, that immediately upon Ms. Parrott's acceptance of appointment, she shall appoint a Deputy to act in her place and stead in case of absence or inability and the Deputy shall accept this appointment in writing.

RESOLUTION APPOINTING A FORT ANN PLANNING BOARD MEMBER

RESOLUTION NO.: 2013-012

INTRODUCED BY: _____, WHO MOVED ITS ADOPTION

SECONDED BY: _____

AYES: _____ NOES: _____ ABSENT: _____ ADOPTED: _____

WHEREAS, the Town of Fort Ann previously established the Town's Planning Board in accordance with applicable New York State law, and

WHEREAS, there is a vacancy on the Planning Board as of December 31, 2012, and

WHEREAS, the Town Board wishes to appoint Howard Dennison to the Town Planning Board,

NOW, THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board hereby appoints Howard Dennison to serve as a member of the Fort Ann Planning Board.

RESOLUTION REGARDING ALTERNATE PLANNING BOARD MEMBERS

RESOLUTION NO.: 2013-013

INTRODUCED BY: _____, **WHO MOVED ITS ADOPTION**

SECONDED BY: _____

AYES: _____ **NOES:** _____ **ABSENT:** _____ **ADOPTED:** _____

WHEREAS, the Town of Fort Ann previously established the Town's Planning Board in accordance with applicable New York State law, and

WHEREAS, the Town Board wishes to appoint three alternate members to the Town Planning Board,

NOW, THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board hereby authorizes the Town Supervisor to advertise for or otherwise seek letters of interest for a First Alternate, Second Alternate and Third Alternate Member of the Town Planning Board.

RESOLUTION APPOINTING A TOWN PLANNING BOARD CHAIRMAN

RESOLUTION NO.: 2013-014

INTRODUCED BY: _____, **WHO MOVED ITS ADOPTION**

SECONDED BY: _____

AYES: _____ **NOES:** _____ **ABSENT:** _____ **ADOPTED:** _____

WHEREAS, the Fort Ann Town Board wishes to appoint the Chairman of the Town's Planning Board for 2013,

NOW, THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board hereby appoints Don Bedeaux as Chairman of the Town's Planning Board.

RESOLUTION CONCERNING A TOWN PLANNING BOARD SECRETARY

RESOLUTION NO.: 2013-015

INTRODUCED BY: _____, WHO MOVED ITS ADOPTION

SECONDED BY: _____

AYES: _____ NOES: _____ ABSENT: _____ ADOPTED: _____

WHEREAS, the term of the Planning Board Secretary expired on December 31, 2012,

NOW, THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board hereby establishes the salary for the Planning Board Secretary as \$2,000.00 per year, and,

BE IT FURTHER,

RESOLVED, that the Fort Ann Town Board authorizes the Town Supervisor to advertise the position of Planning Board Secretary, to interview qualified applicants, and to recommend a qualified applicant to the Town Board at the February, 2013, Town Board Meeting.

RESOLUTION SETTING 2013 SALARIES OF ELECTED OFFICIALS AND HIGHWAY EMPLOYEES

RESOLUTION NO.: 2013-016

INTRODUCED BY: _____, WHO MOVED ITS ADOPTION

SECONDED BY: _____

AYES: _____ NOES: _____ ABSENT: _____ ADOPTED: _____

WHEREAS, the Fort Ann Town Board wishes to adopt Year 2013 Salary and Wage Schedules for its elected officials, appointed officials and employees, and

WHEREAS, such Schedules and Structures shall supersede all previously adopted salaries, Schedules and Structures for these positions,

NOW, THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board hereby authorizes and adopts the following Year 2013 Salary and Wage Schedules, effective January 1st, 2013, as follows:

2013 Wage and Salary Schedule

Town Supervisor	\$11,000.00
Deputy Town Supervisor	\$2,000.00
Town Council Member	\$2,831.85
Town Clerk	\$22,860.00
Clerk to the Supervisor	\$11,842.00
Town Assessor	\$47,726.00
Town Tax Collector	\$7,765.00
Town Budget Officer	\$1,200.00
Town Justice	\$13,200.00
Clerk to the Justice	\$14,861.00
Town Highway Superintendent	\$48,977.00
Town Deputy Highway Superintendent	\$2,000.00
First Deputy Town Clerk	\$10.75 per hour
Machine Equipment Operator	\$16.45 per hour plus longevity
Hadlock Dam Inspector	\$2,500.00
New Hire	\$15.45 per hour
Part-Time	\$12.40 per hour

and

BE IT FURTHER,

RESOLVED, that the Town Board further authorizes and directs the Town Supervisor and/or Town Budget Officer to take all action necessary to effectuate the terms of this Resolution.

RESOLUTION AUTHORIZING FIRE PROTECTION CONTRACTS

RESOLUTION NO.: 2013-017

INTRODUCED BY: _____, **WHO MOVED ITS ADOPTION**

SECONDED BY: _____

AYES: _____ **NOES:** _____ **ABSENT:** _____ **ADOPTED:** _____

WHEREAS, the Town of Fort Ann will be entering into written contracts for the purpose of providing fire protection throughout the Town, and

WHEREAS, certain funds have been approved in the 2013 Town Budget to provide the fire protection services,

NOW, THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board approves said contracts, authorizes the Town Supervisor to sign said contracts, and approves disbursing the 2013 budgeted funds for said contracts.

RESOLUTION AUTHORIZING CONTRACT AND PAYMENT WITH PENFLEX FOR PURPOSE OF LOSAP PROGRAM FOR WEST FORT ANN AND PILOT KNOB FIRE DISTRICTS

RESOLUTION NO.: 2013-018

INTRODUCED BY: _____, **WHO MOVED ITS ADOPTION**

SECONDED BY: _____

AYES: _____ **NOES:** _____ **ABSENT:** _____ **ADOPTED:** _____

WHEREAS, the Town of Fort Ann will be entering into written contracts for the purpose of providing administrative services for the LOSAP program for the West Fort Ann and the Pilot Knob Fire Districts, and

WHEREAS, certain funds have been approved in the 2013 Town Budget to provide these services,

NOW, THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board authorizes the Town Supervisor to sign said contracts on behalf of the Town, and approves disbursing the 2013 budgeted funds for said contracts.

RESOLUTION APPOINTING TOWN HEALTH OFFICER

RESOLUTION NO.: 2013-019

INTRODUCED BY: _____, **WHO MOVED ITS ADOPTION**

SECONDED BY: _____

AYES: _____ **NOES:** _____ **ABSENT:** _____ **ADOPTED:** _____

WHEREAS, in accordance with New York State Public Health Law §§ 320-322, the Town Board has the authority to appoint a Town Health Officer, and

NOW, THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board hereby appoints Dr. David L. Foote, MD, as Town Health Officer for a period of one year ending December 31, 2013.

RESOLUTION APPOINTING TOWN LEGAL COUNSEL

RESOLUTION NO.: 2013-020

INTRODUCED BY: _____, **WHO MOVED ITS ADOPTION**

SECONDED BY: _____

AYES: _____ **NOES:** _____ **ABSENT:** _____ **ADOPTED:** _____

WHEREAS, the Fort Ann Town Board wishes to appoint a Town Attorney,

NOW, THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board does appoint the law firm of FitzGerald, Morris, Baker & Firth, P.C. Attorneys for the Town of Fort Ann and the Attorneys for the Town of Fort Ann Planning Board for the calendar year 2013.

RESOLUTION APPOINTING TOWN ENGINEER

RESOLUTION NO.: 2013-021

INTRODUCED BY: _____, **WHO MOVED ITS ADOPTION**

SECONDED BY: _____

AYES: _____ **NOES:** _____ **ABSENT:** _____ **ADOPTED:** _____

WHEREAS, the Fort Ann Town Board wishes to appoint a Town Engineer,

NOW, THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board does appoint Jarrett Engineers, PLLC, 12 E. Washington Street, Glens Falls, NY 12801 as the Town Engineer for the calendar year 2013.

RESOLUTION AUTHORIZING OFFICIAL UNDERTAKING

RESOLUTION NO.: 2013-022

INTRODUCED BY: _____, WHO MOVED ITS ADOPTION

SECONDED BY: _____

AYES: _____ NOES: _____ ABSENT: _____ ADOPTED: _____

WHEREAS, the Fort Ann Town Board wishes to maintain and extend the Blanket Undertaking policy offered by NYMIR for the 2013 fiscal year,

NOW, THEREFORE, BE IT

RESOLVED, that the Fort Ann Town Board hereby authorizes the continuation of the blanket undertaking policy for officers, clerks and employees of the Town as provided through NYMIR, and approves disbursing the 2013 budgeted funds for said policy.