

MINUTES OF THE REGULAR MEETING OF THE FORT ANN TOWN BOARD HELD JUNE 9, 2014

PRESENT: Supervisor Darlene Dumas  
Councilwoman Gretchen Stark  
Councilman Floyd Varney  
Councilwoman Deborah Witherell  
Councilman Denison

OTHERS PRESENT: Jeff Meyer, Town Attorney, Helen Denno, Confidential Secretary to the Supervisor, Barbara Winchell, Town Clerk, Paul Winchell, Highway Superintendent, Mark Miller, Enforcement Officer, Gene Connell, Richard and Diane Moore, Gene Ouderkirk, Arlene Green, Christine Milligan, Nancy Moore, Debbie Camarota, Suzan Sorriento, Wynantskill, Josephine Feit, Reed Winchell, Kim Bender, Mary Davis, Jack Davis, Ray Wilson, Toni Pond, Dave Dumas, Steve Andrews, Dan Hogan, Clark Skinner, Joe & Mary (Skinner) Stockman, Cathy Matier, Hadlock Inn

Supervisor Dumas called the meeting to order at 7:01 p.m. with the pledge of allegiance and a moment of silence was held for Fort Ann deceased residents.

Motion was introduced by Councilwoman Witherell, seconded by Councilwoman Stark, to accept the Meeting Minutes of May 27, 2014.

Motion was introduced by Councilwoman Stark, seconded by Councilman Varney, to pay the bills as warranted and audited.

Supervisor's Report: The monthly statement to supervisor is available on the Town's website, fortannfornow.com. A paper copy is available upon request. Supervisor Dumas stated she had approximately 30 phone calls for the month of May.

Supervisor Dumas mentioned that she and Councilwoman Stark have been working on a \$9,500.00 Canal Trails grant. She had received a phone call from a gentleman advising that the Town of Fort Ann had been awarded this grant and invited her and Councilwoman Stark to New Paltz to accept in person but neither one of them were available to go to New Paltz. Supervisor Dumas stated that she completed and submitted the necessary forms, from a grant that the previous Town Supervisor had started but did not complete, to be reimbursed \$5,000.00 for the Town of Fort Ann.

Supervisor Dumas stated that 2014 Fort Ann School agreement has been signed by her and returned to the school.

Supervisor Dumas and Councilwoman Stark will meet with Washington County Planner, Chris Debolt, and Economic Director, Laura Oswald, June 10, 2014 regarding economic development for Fort Ann.

Town Clerk's Report: Was given for the month of May 2014.

Public Hearing was opened at 7:07 p.m. with the Town Clerk reading the Notice of Public Hearing that appeared in the May 25, 2014 edition of the POST STAR. Please take notice that a public hearing will be held by the Town of Fort Ann on Monday, June 9, 2014 at 7:05 p.m. at the Fort Ann Town Hall, 80 George St., Ft. Ann, NY, to discuss the proposed Local Law reinstating the Parkland Requirements or payment in lieu thereof, under the Town of Fort Ann Land Subdivision Regulations. There was only one

comment. Toni Pond, Catherine St., Ft. Ann, NY asked what this was all about since she hadn't attended a board meeting in a while. Supervisor Dumas replied this is being done in anticipation of future subdivisions in the Town of Fort Ann. Toni stated that when she went to Dublin, Ireland there is a park for every 10,000 people.

Public Hearing was closed at 7:11 p.m.

Attorney Meyer read short form page 3 to Town Board and Supervisor Dumas answered/confirmed/verified all of the questions for Attorney Meyer regarding the proposed Local Law reinstating the Parkland Requirements, or payment in lieu thereof, under the Town of Fort Ann Land Subdivision Regulations.

Resolution 48-14

ADOPTING LOCAL LAW 1 OF 2014, A LOCAL LAW REINSTATING THE PARKLAND REQUIREMENTS FOUND IN THE SUBDIVISION REGULATIONS

On motion of Councilman Denison, seconded by Councilwoman Witherell, the following resolution was ADOPTED –VOTE -

Ayes 5 Denison, Witherell, Dumas, Varney, Stark

Nays 0

IT IS RESOLVED, to reinstate the parkland requirements found in the subdivision regulations.

Public Comment was opened at 7:16 p.m. with Supervisor Dumas reminding those in attendance that public comment is meant for items on the agenda with no comments being made public comment closed at 7:17 p.m.

Highway Superintendent's Report: The Highway Superintendent reported that the highway department had blacktopped 1.3 miles on Buttermilk Falls Road. They borrowed the Town of Kingsbury's shoulder machine. The mowing contract has been received by the Highway Superintendent. The Highway Department plans on starting to mow as early as the afternoon of June 10, 2014. They expect the Harvester to be in the water the morning of June 10, 2014. The Highway Superintendent received the agenda from the Lake Hadlock Association and there will be two (2) or three (3) volunteers.

Resolution 49-14

AUTHORIZATION TO CONTRACT WITH WASHINGTON COUNTY FOR THE MOWING OF HIGHWAYS

On motion of Supervisor Dumas, seconded by Councilwoman Witherell, the following resolution was ADOPTED –VOTE-

Ayes 5 Dumas, Witherell, Denison, Stark, Varney

Nays 0

IT IS RESOLVED, that the Town Board of the Town of Fort Ann hereby authorizes, Paul Winchell, Highway Superintendent to sign said agreement and file a copy of the agreement in the Town Clerk's office.

Duane Burch, MEO, Highway Department read a report on the dam and handed in a paper copy of the report to Supervisor Dumas. He stated that the annual inspection is coming up and he'll be meeting with Marc Brownstein of Haley and Aldrich.

Councilwoman Stark read a thank you note she received from the Fort Ann library for the \$100.00 donation from January ice fishing derby proceeds. She attended an Office for the Aging meeting and announced that on July 11, 2014 there will be a Sr. Citizens picnic at the Washington County Fairgrounds

and a notice will be placed on the bulletin board with details. She stated you don't have to be a Sr. Citizen to attend. She also received correspondence from George Painter, Interim Executive Director, Camp Little Notch, 744 Sly Pond Rd., Ft. Ann that will also be placed on the bulletin board with different activities taking place from May 9 to October 26, 2014 at Camp Little Notch.

Councilwoman Witherell announced that the next Emergency Evacuation meeting will be held June 12, 2014 at the Fort Ann Town Hall and it is still a work in progress.

Councilman Varney suggested increasing the trailer park fees that were established by Local Law back in 1990 at \$2.00 per site. This will be discussed at a future meeting as to what the rate should be increased to. The Enforcement Officer suggested that the updated schedule fee have the Town of Fort Ann and address at the top since the current one does not and he noticed that when going over it with Moose Hillock Campground and explained to them that the fees have been waived for them this year being it is their first year in business.

Supervisor Dumas stated that it will cost approximately \$15,000.00 to remove the lights on Goodman Road. It costs about \$250.00 a month to keep the lights on. It costs less in the summer because they are daylight sensitive. Supervisor Dumas stated she may be able to budget money in the 2015 budget for light removal.

Councilman Varney put forth a declaration that until such time as Judge Krogman issues decisions relating to the Hadlock Dam failure and/or the resulting claims, or new information is received, the Town Board should not accept public comment concerning these issues and whether the liability is a district wide or town-wide expense.

Declaration was seconded by Supervisor Dumas; a roll call was asked for on this declaration with the following results:

Denison – No  
Witherell - No  
Varney – Yea  
Stark – Yea  
Dumas - Yea

Councilman Denison stated that he delivered two (2) filing cabinets to the Fort Ann Highway Department and if any other departments, such as the Historian, are in need of filing cabinets to please advise him. Christine Milligan will ask the Historian. Arlene Green stated she needs one (1). There is no charge.

Mark Miller, Enforcement Officer, stated he has been very busy and works very closely with the Washington County Code Enforcement Department. He stated he has driven 225 miles this month and there is a considerable difference between \$.40 mileage reimbursement that he receives from the Town of Fort Ann and \$.55 mileage reimbursement that he receives from the Town of Hartford. He is asking the Town of Fort Ann Board to reconsider increasing the mileage reimbursement rate before the 2015 budget process.

Resolution 50-14  
INCREASING MILEAGE ALLOWANCE

On motion of Councilwoman Witherell, seconded by Councilman Denison, the following resolution was ADOPTED -VOTE –

Ayes 5                 Witherell, Denison, Dumas, Stark, Varney

Nays 0

IT IS RESOLVED, that the mileage reimbursement rate be increased from \$.40 to \$.50 effective for all mileage accrued on or after June 1, 2014.

New Business: Adirondack Park Agency is looking into the signs that were erected at Moose Hillock Campground on the Corner of Route 149 and Tripoli Road. Councilman Denison suggested that the town put in place a sign ordinance similar to Town of Kingsbury and/or Town of Hartford. The Town Attorney will forward copies to Town Board members for their review and input at the July Board meeting.

Public Discussion was opened at 8:18 p.m. Josephine Feit stated she was looking for a status on the removal of trees on Route 149. Councilman Denison suggested she write a letter to Senator Little. She doesn't want to write a letter to Senator Little and feels it should be the Town Board that writes the letter to Senator Little. Supervisor Dumas told Josephine that she could call Senator Little's office if she didn't want to write a letter.

Debbie Camarota distributed information regarding the cemetery that is situated on Ray Wilson's land. She stated that the Friends of Blossom Cemetery group wants to back off from this issue since it has now been determined to be a private cemetery. The Friends of Blossom Cemetery group asked a family history researcher, Suzan Sorriento, to research and decipher GIS maps/deeds. Gene Ouderkirk stated he has found discrepancies with google maps and survey software. Councilman Denison stated that there is no starting point in the documentation presented to the Town Board. Attorney Meyer stated there is a difference between a cemetery and a burial ground. Attorney Meyer also stated that there is a distinction between a public cemetery and a private cemetery. A cemetery either has to be declared historic or be recognized as abandoned property. Debbie Camarota stated she did not mean to tear the community apart on this issue and there are 173 people that support this and approximately 100 of the 173 have relatives in that cemetery.

Supervisor Dumas stated she spoke with Washington County Real Property Department and this is Ray Wilson's property. Mr. Wilson stated a compromise has to be made. Councilman Denison and Mr. Dan Hogan wanted to thank Mr. Wilson. Christine Milligan, Commander, Raymond W. Harvey Post 703 stated there are seven (7) other cemeteries located on private land in the Town of Fort Ann.

Mr. Moore stated there is nothing pending with Judge Krogman regarding the 23% liability. He asked the Town Attorney how can Mr. Varney talk about something he knows nothing about? Mr. Moore referred to two (2) letters that he sent to Supervisor Dumas. She stated she didn't remember receiving two (2) letters. Supervisor Dumas reminded Mr. Moore about the declaration that was just made and she is tired of being bullied and intimidated. She told him he gets answers they just aren't the answers he wants.

Gene Connell, Hadlock Pond, stated he was very surprised in Mr. Varney issuing a gag order.

Supervisor Dumas thanked Mr. Wilson for coming to the Town Board meeting and announced that the Town Board is not going to do anything at this time with regards to the cemetery.

Public Discussion was declared closed at 9:31 p.m.

Motion was made at 9:32 p.m. by Councilman Denison to go into executive session and seconded by Councilwoman Witherell to discuss pending litigation.

Motion was made at 9:45 p.m. by Councilman Denison to come out of executive session and seconded by Councilwoman Witherell.

Motion was made by Councilwoman Witherell and seconded by Councilman Varney to adjourn meeting at 9:46 p.m.

Total Abstracts:	General \$35,613.76
	Highway \$24,048.05

Respectfully submitted,

Barbara J. Winchell, Town Clerk  
Dated: June 17, 2014