

MINUTES OF THE REGULAR MEETING OF THE FORT ANN TOWN BOARD HELD SEPTEMBER 8, 2014

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

ABSENT: Councilwoman Deborah Witherell  
Paul Winchell, Highway Superintendent

OTHERS PRESENT: Jeff Meyer, Town Attorney, Helen Denno, Confidential Secretary to the Supervisor, Barbara Winchell, Town Clerk, Mark Miller, Enforcement Officer, Virginia Parrott, Town Historian, Richard Parrott, Richard Moore, Arlene Green, Dave Dumas, Deb Camarota, Nancy Moore, George Sherwood, Christine Milligan, Joe & Mary (Skinner) Stockman, Gene Connell, Eugene Ouderkirk, Scott Baldwin, Ray Wilson, Aimee McNeil, John Fisher, Kaylee Fisher, Caira Havens, Charlene Euber, Britnee Euber, McKenzie Casey, Dakota Thompson, Jennifer Havens, John Havens, Shelby Stanton, Heather Watkins, George & Sue Jackson, Joe Trzaskos

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 Councilman Varney, seconded by Councilwoman Stark, to accept the Meeting Minutes of August 11, 2014. Councilman Denison stated that the minutes were too long and he was abstaining. Supervisor Dumas stated the minutes have been longer because of the prepared statements but tonite she does not have a prepared statement.

Motion was introduced by Councilman Varney, seconded by Councilwoman Stark, to pay the bills as warranted and audited. There were a couple of bills pulled, one being AT&T, since it was higher than usual.

Supervisor's Report: Supervisor Dumas stated that the monthly statement to supervisor is available on the Town's new website, townoffortann.com. A paper copy is available upon request. If anyone looks at the fortannfornow.com website it should direct you to the updated town website of townoffortann.com which is currently being updated. There will be a supervisor's blog. Supervisor Dumas stated she had approximately 25 phone calls for the month of August and there seems to be more and more people actually stopping to see her at her home with their questions/concerns. There was one gentleman that stopped and wanted to discuss West Taylor Woods Road.

Supervisor Dumas mentioned that she is working on the 2015 budget and plans on being under the 2% cap again this year. She announced that most of the staff will see an average of a 2% wage increase. She will leave it up to the Town Board members, as she has done in the past, whether she will receive an increase or not and how much, if any. She will schedule a special meeting to present a tentative 2015 budget by the end of September and it will be advertised in the Post Star.

Supervisor Dumas stated that the Hadlock debt was paid 8/15/14 by wire transfer.

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

Public Hearing opened at 7:12 p.m. with Supervisor Dumas explaining the parameters of the public hearing are on the second page of the agenda. She then had the Town Attorney explain the purpose of the public hearing and he stated that copies of the Local Law are available if anyone needs a copy and that copies have been made available for a month.

Public Hearing closed at 7:15 p.m. with no comments.

#### Resolution 61-14

RESOLUTION ADOPTING LOCAL LAW 2 OF 2014, A LOCAL LAW AMENDING THE ESTABLISHMENT OF FEES CHARGED IN LOCAL LAW NO. 1 OF 1990 LOCAL LAW FOR THE REGULATION OF MOBILE HOMES, MOBILE HOME PARKS, TRAVEL TRAILERS, AND TRAILER CAMPS

On motion of Councilman Denison, seconded by Councilman Varney, the following resolution was ADOPTED-VOTE-

Ayes 4 Denison, Varney, Dumas, Stark

Nays 0

Absent 1 Witherell

IT IS RESOLVED, pursuant to and in accordance with the Municipal Home Rule Law, the Town Clerk is hereby directed to enter Local Law No. 2 of 2014 into the minutes of this meeting and file the same with the Office of the Secretary of State of the State of New York and be it further resolved that this resolution shall take effect immediately.

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: None - Supervisor Dumas mentioned that the Highway Department has been very busy paving. She also stated that the damn inspection took place a couple of weeks ago and she did get a verbal from Marc Brownstein that everything looks okay in his opinion.

Councilwoman Stark announced that the Pilot Knob Beach is closed and it was a very successful season.

Councilman Varney stated that he had a couple of people mention that there should be a PA system during Town Board meetings so everyone, especially in the back, can hear discussions. Councilman Varney stated he has one if the Town Board wishes to borrow it. Someone else had suggested to him that the Town Board should sit closer together during meetings.

Councilman Denison stated that he received a phone call from a neighbor of the Otis cemetery wondering why Otis cemetery wasn't being taken care of. Apparently Otis cemetery has been maintained by Washington County Alternative Sentencing. Councilman Denison reached out to the Highway Superintendent about the cost of cleaning up and maintaining Needhamville and Sly Pond cemeteries. There may be two (2) more added to the list but not sure at this time which two (2). It would be four (4) cemeteries being cut four (4) times a year. He stated the cemetery committee is working hard and working well together. He has reached out to retired Surveyor, Dave Bolster, and gave him all the Blossom Farm cemetery deeds that have been acquired from the American Legion. Mr. Bolster also has done title work. Mr. Bolster has read about half of the deeds at no fee. He should be through reading them by the end of 9/8/14 week. He reached out to the Highway Superintendent and was informed that the Town has never taken care of the cemeteries. Councilman Denison stated that

the Highway Department has all the equipment needed to take care of cemeteries but doesn't have the labor. The Highway Superintendent is to report back on the cost.

Mark Miller, Enforcement Officer, received a phone call from Ace Carting regarding the work that Bette Cring is performing at their location. Mark is also working with John Ward, Washington County Code Enforcement, as well as Tom Jarrett on this project. Mark delivered a demolition permit to Ace Carting so they could tear down the existing building that they won't need. Mark is working on his Town of Hartford budget and since he is having difficulty with his phone he thought this would be a good time to update his phone/computer with an estimated cost of \$550.00-\$650.00. The phone that he is looking at would include a camera. Supervisor Dumas stated there should be enough money in the 2014 budget for this purchase.

Mark continued stating that he signed a building permit for Marty Graves who is building a home on Route 4. He signed a building permit for Mike Brockley on Morgan's Way who is adding a deck. Mark received a phone call from the new owners of Golden Goal and he referred them to Washington County Code Enforcement because they were looking for a certificate of occupancy. Mark spoke with Warren Denton who is assisting his father, Jim Denton, with the clean up on Route 149. Mark mentioned again that the Town of Fort Ann needs a signage ordinance. He recently heard from AutoSaver on Route 22 in Comstock who is putting a sign on their building. Supervisor Dumas stated she has received signage information from a couple of other towns and will be addressing in the future.

Supervisor Dumas mentioned that she received a phone call from someone at Pilot Knob that has concerns about a large building being constructed at St. Andrews and he is wondering if the proper permits have been filed. She also received a phone call from a Pilot Knob resident wondering about charging a bed tax. The Town Attorney briefly explained how a bed tax works.

Historian's Report: Virginia Parrott, Town Historian, received a new book in Friday's mail from Marty Podskoch. Virginia had assisted Mr. Podskoch with his research and wants to let people know that the book is available for \$20.00 each. The book is a compilation of 102 small towns in the Adirondacks.

#### Resolution 62-14

RESOLUTION ESTABLISHING THE FEE SCHEDULE CHARGED IN LOCAL LAW NO. 1 of 1990 LOCAL LAW FOR THE REGULATION OF MOBILE HOMES, MOBILE HOME PARKS, TRAVEL TRAILERS, AND TRAILER CAMPS  
On motion of Councilman Denison, seconded by Councilman Varney, the following resolution was ADOPTED-VOTE-

Ayes 4 Denison, Varney, Dumas, Stark

Nays 0

Absent 1 Witherell

IT IS RESOLVED, that the proposed Appendix A is hereby adopted, a copy of which is attached hereto and made a part hereof; and be it further resolved this resolution shall take effect immediately.

#### Resolution 63-14

BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$65,000.00 AGGREGATE PRINCIPAL AMOUNT OF SERIAL BONDS OR A STATUTORY INSTALLMENT BOND OF THE TOWN OF FORT ANN TO PAY THE COSTS FOR THE PURCHASE OF A USED 2005 PETERBILT TRUCK FOR THE HIGHWAY DEPARTMENT OF THE TOWN OF FORT ANN AND AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES OF THE TOWN OF FORT ANN FOR THE AFORESAID PURPOSES AND IN CONNECTION THEREWITH

On motion of Councilwoman Stark, seconded by Councilman Denison, the following resolution was

ADOPTED-VOTE-

Ayes 4 Stark, Denison, Dumas, Varney

Nays 0

Absent 1 Witherell

Supervisor Dumas announced that we need to reappoint Gary Taylor to the Board of Assessment Review and we do need to have one more Bar Assessment Review member by April 1, 2015 so if anyone is interested and available for the fourth Wednesday in May please apply.

Resolution 64-14

RESOLUTION REAPPOINTING GARY TAYLOR AS A MEMBER OF THE TOWN OF FORT ANN BOARD OF ASSESSMENT REVIEW FOR A FIVE YEAR TERM

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

Ayes 4 Denison, Stark, Dumas, Varney

Nays 0

Absent 1 Witherell

IT IS RESOLVED, that the Fort Ann Town Board does hereby reappoint Gary Taylor as a member of the Town of Fort Ann Board of Assessment Review for a five year term from October 1, 2014 to September 30, 2019.

Public Discussion was opened at 8:13 p.m.

Gene Ouderkirk asked if it was possible to open the Town Hall windows. He also expressed his concern over meeting the deadline for the request for waterfront park extension. He also expressed his concern over the paving of parking lot. Supervisor Dumas stated she will follow-up with the Highway Superintendent. He emphasized that there is \$135,00.00 approximately in unused funds and it is New York State money and that the Town of Fort Ann has the money and the approval.

Gloria Quinlan wanted to know the status of the removal of properties that passed the Assembly in June and in her opinion there doesn't seem to be any follow-up. Attorney Meyer advised that he follows up at least once on month on this issue. He stated once again that there will be a public hearing and everything will be explained in detail at the hearing including the purpose of the hearing.

Christine Milligan, Commander, Raymond W. Harvey Post 703 gave a flyer to the Town Clerk to put on the Town bulletin board announcing that on 9/17/14 @ 6:00 p.m. there will be a Battle Hill Research Public meeting with a presentation by SUNY/Binghamton. She also asked to have a flyer announcing a flu clinic 9/22/14 from 4:00 p.m. – 6:00 p.m. at the Fort Ann EMS building. She stated that the American Legion is asking for a letter from the Town Board clarifying that the Town of Fort Ann is not taking over the five (5) abandoned cemeteries.

Deb Camarota read a letter to the Town Board and distributed page #391 from 11/1/1839 deed Shubael Mason and Eunice, his wife to Thomas Nichols and Darius Stafford excepting and remaining the burying ground containing one half acre of land as formerly occupied for that purpose.....since her 5 minutes were over Ms. Camarota handed over what she was reading to Aimee McNeil to finish reading which included a petition with over 200 signatures.

Christine Milligan requested that there be no more facebook remarks.

Richard Moore stated that the letter Supervisor Dumas read at the August 11, 2014 Board meeting didn't have the correct facts regarding Lycott. He asked Supervisor Dumas again why she wasn't disclosing information and challenged her to take previous two (2) letters and now three (3) and sit down with him to discuss.

Gene Connell asked who are the attorney's that told Supervisor Dumas about the 23% when the Judge made his decision.

Richard Moore spoke with Councilman Varney after the August 11, 2014 Town Board meeting and Councilman Varney stated they are waiting for decision and the Judge has everything. Councilman Varney and Supervisor Dumas reminded Mr. Moore that there is a declaration in place.

Mr. Ray Wilson spoke about the Blossom Cemetery topic going around and around.

Mrs. Parrott stated she was contacted by the Town Clerk regarding FOIL requests. Supervisor Dumas stated – if you don't have the information being requested then you don't have it and don't have to create it. Mrs. Parrott stated you can't get a copy of a death certificate unless you are a descendant.

Joe Trzakos stated he thought this topic of Blossom Cemetery was done and over with. Supervisor Dumas stated that Councilman Denison is the head of the cemetery committee and he will be reporting back to the board conditions/recommendations.

Deb Camarota stated she received an email from Bill Toscano at The Post Star which was originally an email from Christine Milligan to Bill Toscano at the Post Star. Christine told Deb she would like to view that email that was forwarded from Bill Toscano.

Public Discussion was declared closed at 8:55 p.m.

Motion was made by Councilman Denison and seconded by Councilman Varney to adjourn meeting at 8:55 p.m.

Total Abstracts:           General \$ 27,433.04  
                                      Highway \$ 12,249.66

Respectfully submitted,

Barbara J. Winchell, Town Clerk  
Dated: September 16, 2014