

**MINUTES OF THE REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF FORT ANN  
HELD AUGUST 10, 2015 AT THE TOWN HALL COMMENCING AT 7:00 P.M.**

**PRESENT:** Supervisor Darlene Z. Dumas  
Councilwoman Gretchen R. Stark  
Councilman Howard Denison  
Councilman Floyd Varney  
Councilwoman Deborah Witherell

**OTHERS PRESENT:** Paul Winchell, Highway Superintendent, Jeff Meyer, Town Attorney, Helen Denno, Confidential Secretary to the Supervisor, Barbara Winchell, Town Clerk, Mark Miller, Enforcement Officer, Dave Dumas, Richard Moore, Denny Fletcher, Virginia and Dick Parrott, Anne and Bill Wilcox, Gene Connell, Bill Bailey, Mr. Schulz, Lynn Steves, George Sherwood, Arlene Green, John Bruhns, Ray Wilson, Kevin and Griebelovely, Christine Milligan, Joseph Loszynski, Lake Hadlock Project Manager

Meeting was called to order at 7:02 p.m. with the Pledge of Allegiance to the Flag led by Councilman Varney. A moment of silence for deceased Fort Ann residents was not necessary as there weren't any in the month of July.

Motion was introduced by Councilwoman Witherell, seconded by Councilwoman Stark to accept the minutes of the Regular Town Board Meeting of July 13, 2015. Supervisor Dumas abstained from accepting the minutes since she was absent from the 7/13/15 Town Board meeting due to pneumonia.

Motion was carried.

Motion was introduced by Councilman Varney, seconded by Councilwoman Witherell to pay bills as warranted and audited. Councilman Denison stated he has a list of bills he is making exception to and that he did not initial. He will give the list to the Bookkeeper, Helen Denno, to make copies for him to further review.

Councilman Denison questioned why there is still a monthly Verizon bill. Supervisor Dumas advised it is for the Old Stone House Library. Councilman Denison questioned voucher #334 for Charles Hillebrandt. Joseph Loszynski, Lake Hadlock Project Manager, responded that Mr. Hillebrandt is the consultant, trainer, operator of the Harvester for the summer.

Motion was carried.

**Supervisor's Report:** Supervisor Dumas updated everyone about the petition that was submitted at the 7/13/15 Town Board meeting regarding the shooting range on Tripoli Road. She sent an email to Sheriff Murphy and received a response by email from Sheriff Murphy stating that August 10, 2015 should be the last day of shooting on Tripoli Road. He is looking

for a remote area in Washington County for a shooting range where it won't bother any residents.

Supervisor Dumas wanted to clarify that back in 2011 she had an idea that the Town of Fort Ann needed an emergency plan and in 2013 it was Deb Witherell that volunteered to steerhead the committee to put an emergency plan in place. Supervisor Dumas thanked Councilwoman Witherell for being in charge of the emergency plan.

The Agenda for tonight's Town Board meeting and the July financial report have both been uploaded to the Town's website. A paper copy is available upon request. Both are also available on the 2015 Town Board meetings page.

Supervisor Dumas read her blog which can be found on the Town's website. A paper copy is available upon request. Supervisor Dumas mentioned that there will be a Supervisor on the Corner meeting on Sunday, 8/16/15, once a location has been decided upon it will be announced on the website by Wednesday, 8/12/15.

Supervisor Dumas stated that the July board meeting was the first time she missed a meeting since taking office in 2012. She acknowledged that Deputy Supervisor Gretchen Stark did an excellent job of running the meeting in her absence. She stated that Councilman Denison chose that meeting that she was absent from to submit a short note to the Board. In it, he stated that a letter to the editor in the Post Star had made him "realize that he had a responsibility to question the actions of our supervisor" and he accused Supervisor Dumas of signing two (2) contracts without prior resolution. Supervisor Dumas stated she should be outraged and surprised by this but is not. When this was brought to her attention she called ten (10) or twelve (12) people, which included attorney's and other Town Supervisor's, to see what their opinions were of this being done in her absence. Each person she spoke to said the same thing that she had thought - this is a blatant attempt to smear her during an election campaign. Having had these charges made in such a public manner she felt she needed to respond to them in this public format. She admitted that she did sign both contracts without Board resolutions and will explain a little bit later in the meeting.

First, she wanted to acknowledge that while it's certainly good that something has finally made Councilman Denison realize that he has an audit responsibility – one that he has repeatedly treated way too casually since being elected he still seems to misunderstand it according to Supervisor Dumas.

Supervisor Dumas explained that stewardship of a town's money is one of the primary functions of town government. The audit authority in a town like Fort Ann is the Town Board and this is a very important responsibility indeed, as New York Town Law makes clear. The Division of Local Government and School Accountability of the New York State Office of the Comptroller writes:

**The audit of a claim by the auditing authority should not be a casual review. Instead, it should be a deliberate and thorough process to determine that a proposed payment is proper and just.**

Supervisor Dumas stated it's essential that the Town Board fulfill its statutory audit responsibilities and that each member of the Board do so. Councilman Denison's casual approach to his audit responsibility is neither correct nor acceptable according to Supervisor Dumas. The very purpose of the audit session is to audit the 50 or so requests for payment that have been presented and to make sure that each is valid, legal, correct, represents goods or services that we have received, and is in all respects legal to pay. A claim made against a contract that the Town has not signed or that the Town has entered into improperly would surely not be valid and would not be accepted by the audit authority. Supervisor Dumas stressed that each person sitting at the board table has a clear duty under town law to take the audit responsibility seriously. When town board members sign off on the bills and then approve a resolution authorizing those payments, they are legally affirming that the proposed payments are valid, correct and legal.

In the case of the Lycott contract that Supervisor Dumas signed in mid June of 2014, a majority of the Board approved the payment of the single invoice that was presented for payment in September of 2014, against the contract. The amount was \$19,856.00 not \$26,575.00 as Councilman Denison has alleged. The money paid had been budgeted for this project.

Supervisor Dumas went on to explain that numerous monthly invoices have been submitted this year by Cornerstone for monthly telephone services under the contract she signed in December 2014. Every single board member, including Councilman Denison, signed off on the Cornerstone bills in multiple months and, in doing so, have in multiple instances legally affirmed that the bills are accurate, valid and legal claims against a valid contract. According to Supervisor Dumas "Had there been any question whatsoever that the contracts had been improperly entered into or were invalid, the time to question them would have been before the corresponding invoices had been paid. Bringing this up seven (7) months or, in one case, over a year later clearly seems like a political stunt designed to smear my reputation."

Supervisor Dumas stated she signed both the Lycott and the Cornerstone contracts because in both cases there was an urgency involved. In the Spring of 2014 the town submitted a bid for hand harvesting for Lake Hadlock. The Town only received one bid, which was accepted, so a contract was drawn after sending to the Town Attorney for review. The Town Attorney made revisions and approved it. It was getting well into summer and the Lake Hadlock Association was so eager to get the hand harvesting underway because there are only so many weeks in the summer – time was of the essence. Anxious to get the harvesting underway and rather than waste a few more weeks waiting for the July Board meeting Supervisor Dumas signed the Lycott contract paid for by budgeted money. The Cornerstone contract was going to save the town 25% of the town telephone charges and give the town hall better service. Since it was going to save the town approximately \$300.00 per month the new system was installed as quickly as possible. Supervisor Dumas remembered reporting the contract signing at the December 2014

and that the savings of multiple thousands of dollars per year Councilwoman Witherell exclaimed "Oh good!" Again, money was already budgeted for the phone bills so there wasn't any over spending happening. Saving hard-earned taxpayer dollars was the goal.

Finally, Supervisor Dumas stated she believed then and now that she was within her rights to sign those contracts as Treasurer and Chief Financial Officer. Signing a routine business office contract for telephone services falls within her authority. The Town Board passes a resolution on an annual basis at the organizational meeting that grants the Town Supervisor "the powers and duties of administration and supervision of the Town and any Districts contained within it."

The Town Board passes this resolution annually because the Board recognizes the need for the Town to function efficiently between Town Board meetings and the Town Board recognizes the need for the Town to respond swiftly to emergencies. The Town Supervisor as Chief Financial Officer has the power and duty to administer and supervise the Town between Board meetings. The Lycott contract allowed the urgent Hadlock project to go forward. Signing the contract for Cornerstone allowed a savings of approximately \$300.00 per month for the Town.

Supervisor Dumas received approximately 20 phone calls for the month of July.

The Champlain Canalway Trail Committee had a bike tour on August 9, 2015 from Ft. Edward to Ft. Ann. There were a total of 33 bikeriders. The Fort Ann Youth League provided hot dogs, burgers and salads at the Fort Ann Canal Park. The ladies from the Historical Society provided water and cookies. Mayor Foran, Supervisor Dumas and Assemblywoman Woerner were in attendance and it was a great day for everyone.

Supervisor Dumas announced that preparations are underway for the 2016 budget requests. Supervisor Dumas will be writing entries on the blog to keep everyone informed about the budget process as it unfolds. She'll explain any changes that need to be made to the budget. She stated it is important for all of the Town's citizens to understand the budget, so she'll do her best to keep them informed at every step along the way. Since there will be multiple meetings per month, she'll be updating the blog several times over each of the coming months.

Town Clerk's Report was given for July 2015.

Dog Control Report was given to each TBM for the month of July 2015.

Public Hearing: None

Public Comment opened at 7:29 p.m. with Supervisor Dumas reminding those in attendance that public comment pertains to items on the agenda.

Public Comment was closed at 7:30 p.m. with no comments being made.

Supt of Highways Report: The Highway Superintendent stated they've been busy on North Road and Clements Road to get them ready for blacktopping. The Grade All is currently down with a bad hydraulic pump. The Highway Superintendent stated the pump is in but they just haven't had time to put it back together and test it to make sure it's working properly. The Highway Superintendent advised that Mattison Road is still closed. He reported that the highway department had been working on Mattison Road a couple of days but then on the third day had to stop working on it because the road was still settling. He called in the Town Engineer, Tom Jarrett, and the Washington County Soil and Water Conservation Department for suggestions on how to go forward with Mattison Road. It was decided to schedule a meeting for 8/12/15 @ 9:00 a.m. and invited the Town Board Members to attend. The Town may be eligible for a grant through Champlain Watershed but the Town would have to spend the money and do the work and then wait for reimbursement should the town be awarded the grant for as much to up to a year. The Highway Superintendent reported that approximately \$15,000.00 has spent so far on what they thought was going to fix the road but didn't. He did receive permission from DEC to clear the brush at Halfway Brook.

The Town Attorney advised that the Mattison driveway should be closed to the general public due to liability purposes.

Supervisor Dumas stated she had received the annual proposal for dam inspection services from Mark Brownstein, P.E. Senior Engineer, with Haley & Aldrich. Haley & Aldrich has been performing annual inspections since 2008. The proposal is \$4,400.00 which is the same contract and amount that it has been for the last three (3) years (2012, 2013, 2014) that she has signed it and probably before she was even Supervisor. Councilman Denison asked what the urgency was to sign this. Supervisor Dumas responded she would prefer to sign the proposal at tonight's board meeting since the inspection is normally done in June or July. She doesn't want to wait until the September 14, 215 board meeting. The inspection has to be done before they start to lower the water level.

Councilman Varney would like to be notified of when the inspection will take place so that he can attend.

#### **RESOLUTION #57-15**

#### **ALLOW SUPERVISOR DUMAS TO SIGN THE HALEY & ALDRICH PROPOSAL FOR ANNUAL DAM INSPECTION SERVICES**

On motion of Councilwoman Stark, seconded by Councilwoman Witherell to accept resolution entitled "Resolution Allowing Supervisor Dumas to sign the Haley & Aldrich Proposal for Annual Dam Inspection Services"

Councilman Denison reviewed the contract and referred it to the Town Attorney. It was then recommended to table the above resolution pending responses to the limit of remedies language and the retention of samples.

Supervisor Dumas asked for a Roll Call Vote.

Supervisor Dumas will contact Mark Brownstein 8/11/15 regarding the limit of remedies language and retention of samples.

Councilman Denison recommended referring this to the Town Engineer, Tom Jarrett, for his review and clarification.

Motion was carried unanimously to table Resolution entitled "Resolution Allowing Supervisor Dumas to sign the Haley & Aldrich Proposal for Annual Dam Inspection Services" for further investigation into the contract and resolution of the contract.

#### **RESOLUTION #58-15**

#### **AUTHORIZE THE HIGHWAY SUPERINTENDENT TO SURPLUS EQUIPMENT**

On motion of Councilman Varney, seconded by Councilwoman Stark to accept resolution entitled "Resolution Authorizing the Highway Superintendent to Surplus Equipment"

ADOPTED      AYES 5              Varney, Stark, Witherell, Denison, Dumas

**RESOLVED**, that the Town of Fort Ann Highway Superintendent declares the following as Surplus items: 1997 Highlander Sander Ser#AS01AK4398; 2010 Highlander Sander Ser#LA-01-A-P-10452-A04; 2003 Chevrolet Pick Up ID#1GCHK24L103E213480; 1969 Century Single deck screen; 7' 6" HT Series Fischer minute mount plow. He will be contacting Auction Internationals, an online auction site, and is guessing the worth of these items at between \$4,000.00-\$7,000.00.

The Highway Superintendent mentioned at last month's Town Board meeting and again tonight that he is getting ready to order a plow and the money received from the one (1) ton truck that was recently sold resulted in approximately a \$3,500.00 surplus. He might have to use a little bit of that money towards the new truck.

Councilwoman Stark reported that the summer recreation program went well this year and will be ending this week. She has been attending meetings with the Canal Trail group regarding a bike trail from Fort Ann to Whitehall. She wanted to thank the Fort Ann Youth League, Old Stone House Library, Recreation Committee and the Historical Society for their time and donations of food/cookies for the 8/9/15 historic Bike Tour. On 8/4/15 she attended an evasive meeting on plants/animals in Warrensburg and referred that information to Joe Loszynski, Lake Hadlock Project Manager, in hopes of assisting him with Lake Hadlock issues.

Councilwoman Witherell advised that she has spent the month healing and tonight was the first time in eleven (11) months she was without a brace.

Councilman Varney stated he spoke with a gentleman from Lake Bomaseen about a catcher for debris. Mr. Loszynski stated he is researching with vendors on selling other equipment such as conveyors and that Mr. Varney brings up a valid point to at least investigate. Mr. Loszynski

stated that Lake Bomaseen is not in the Adirondack Park so it isn't the same as Hadlock which is in the Adirondack Park. Mr. Loszynski stated that no other lake in the Adirondack Park has permission to Harvest and the Town of Fort Ann is allowed because of the Harvest collectors.

Councilman Denison asked to have Mr. Ray Wilson speak at tonight's meeting in hopes of moving forward with Resolution 70 of 2014 that was adopted at the October 14, 2014 Town Board meeting. Resolution 70 of 2014 approved the spending of up to \$1,500.00 for survey, title and legal work concerning the potential acceptance by the Town of the property known as the Blossom Farm Cemetery. Councilman Denison stated it needs to be clarified at tonight's meeting with Mr. Wilson present what he wants.

Christine Milligan spoke on behalf of the cemetery committee and she stated that the cemetery committee is trying to do what is best for the Fort Ann taxpayers.

Supervisor Dumas stated that as far as she knew the cemetery committee was still looking to do research.

Mr. Wilson stated he is willing to donate ½ acre to the Town of Fort Ann as a memorial and he is of the opinion that the bricks that the Friends of Blossom group sold should be inside the memorial.

Councilwoman Witherell asked if bricks are still being sold.

Christine Milligan responded that according to facebook the Blossom Farm group is still raising money as of May 19, 2015.

Councilman Denison stated from what he understands is the Blossom Farm group is raising money to assist Mr. Wilson with attorney fees.

Christine Milligan stated the cemetery committee was just looking for permission from NYS DOT to erect a sign at that sight with a plaque designating names.

Councilman Varney stated it was time to put this to rest. Councilwoman Witherell agreed with Councilman Varney.

Councilman Denison stated he is very frustrated with this and putting a sign out front is useless in his opinion. In his opinion this should be very simple by having the Town Attorney and Mr. Wilson's attorney work out an agreement and make it a historical site.

Supervisor Dumas stated she needed to understand what was involved, especially the cost, as far as the Town's obligations and responsibilities for years to come.

The Town Attorney advised that the town would be responsible to mow that area two (2) or three (3) times a year.

Councilman Denison asked for a resolution to have the town attorney talk to Mr. Wilson's attorney come up with an agreement to not move the fence until Mr. Wilson is ready, have the property surveyed, a deed drawn up that would take this piece of property off of Mr. Wilson's tax rolls and he doesn't have any more insurance issues. Councilman Denison stated this would be just one (1) more cemetery that the town will have to clean up.

Councilman Denison asked Mr. Wilson to explain what will happen to the cows by moving the fence now? Mr. Wilson responded that when you change cows habits they don't produce the same amount of milk supply.

#### **RESOLUTION #59-15**

#### **AGREE, ACCEPT AND AUTHORIZING THE PROFESSIONALS TO CARRY OUT THE TERMS OF THE MARCH 27, 2015 LETTER OF INTENT FROM MR. WILSON**

On motion of Councilman Denison, seconded by Councilwoman Witherell to accept resolution entitled "Agree, accept, and authorizing the professionals to carry out the terms of the March 27, 2015 Letter of Intent from Mr. Wilson" in pertinent part.

Supervisor Dumas read the Friends of Blossom Farm cemetery (Deb Camarota) face book page dated 5/19/15. "Nancy and I would like to let you know what is going on with respect to the cemetery and its' restoration. We sent a letter to the Town Board via the cemetery committee to offer them the opportunity to "own" the cemetery on Oct 24, 2014 – It was sent as follows:

1. Town will move fence out 6' to encompass 6 bases in cow path (you will need about 12' of fence & 2 more poles & 12' single strand barbed wire)
2. Town will survey 86' x 240' cemetery land – Cemetery will have 86' of road frontage for access from Rt 22 (without going through Wilsonview farm land) Ray Wilson will receive a copy and remove this acreage from his land/tax responsibility/liability insurance.
3. FOBFC will be appointed voluntary group to restore and complete renovations in cemetery FOBFC will report to Howard Denison, Chairman of the cemetery committee. FOBFC will submit progress reports to the board.
4. Town will not try to acquire any additional land from Ray Wilson for the cemetery – nor support anyone else in doing so.
5. Town will begin mowing 2015
6. Ray Wilson will donate the cemetery land to Town of Fort Ann to be forever a cemetery. Town will deed the land to the Town of Fort Ann."

The offer presented by Mr. Wilson and being considered by the Board is as follows:

1. Town will move fence out 6' to encompass 6 known bases in cow path. The fence will not be moved or extended until the cows are out of upper field for the season.
2. Town will survey 86' x 240' cemetery land – Cemetery will have 86' of road frontage for access from Rt 22 (without going through Wilsonview farm land) Ray Wilson will receive a copy and remove this acreage from his land/tax responsibility/liability insurance.
3. Ray Wilson will donate the cemetery land to Town of Fort Ann as a historic cemetery property.

4. Town agrees to place bricks previously sold by the Friends of Blossom Farm inside cemetery.

Discussion ensued as to whether accepting these terms would bind the town into acting in a specific manner and whether it constituted a contract. Further discussion occurred as to whether it would be more appropriate to authorize the survey prior to agreeing to accept the terms. The Town Attorney stated this is just moving things forward (survey, setting boundaries). This is not a contract. Supervisor Dumas stated she would like to amend the resolution to have the survey done and see what the survey shows. Councilman Denison stated he wasn't going to amend the resolution. Upon having a motion and a second, the vote proceeded.

Roll Call Vote: AYES 3            Witherell, Varney, Denison  
                      NAYS 2                Stark, Dumas

Supervisor Dumas requested Councilman Varney as to whether he understood the actual vote in light of the discussion. Councilman Varney was under the impression that he was only voting to authorize the survey and rescinded his vote. Upon motion by Supervisor Dumas, and seconded by Councilman Varney, the prior resolution was rescinded and replaced with an authorization to hire a surveyor to survey the land to be incorporated as the historic cemetery. Mr. Wilson affirmed that the Town has permission to survey his land and authorized Attorney Meyer to retain the surveyor and coordinate having the property surveyed.

ADOPTED        AYES 5            Witherell, Varney, Denison Stark, Dumas

**RESOLVED**, that the Town of Fort Ann will move forward with the survey of Mr. Wilson's land.

Enforcement Officer, Mark Miller, gave his report for the month of July which included approximately 28 phone calls, 7 building permits and 8 emails. Mark stated he had a meeting with Mr. Dave Armando, Washington County Code Enforcement, and he is supposed to prosecute the Jim Denton (Rte 149) issue. John Ward, Washington County Code Enforcement, will address the Tripoli Road issue of Steve Dingman running a commercial business out of a residential area.

Virginia Parrott, Town Historian, apologized for going over \$10.00 on her budget. Supervisor Dumas told her not to worry about it that a little bit more money would have to be budgeted in 2016 than 2015 to cover the cost of printer cartridges.

Christine Milligan wrapped up the Battle Hill Project. She was only supposed to get 50 posters and received 500. One (1) of the posters will be displayed at the Fort Ann Town Hall. PBS has received a grant and will be at the Old Stone House Library 8/14/15 @ 8:30 a.m. to discuss Battle Hill. They will be making a documentary that will be shown nationally about Lost Battles of the Revolutionary War.

Joe Loszynski, Lake Hadlock Project Manager, stated it was a banner year with the Harvester and thanked the Town Board Member's for their support. A copy of the monthly progress report was emailed to the Town Board Member's prior to tonight's meeting and a paper copy is available for anyone who would like a paper copy.

**RESOLUTION #60-15**

**SET A PUBLIC HEARING FOR 9/1/15 @ 10:00 a.m. FOR THE PURPOSE OF CONSIDERING THE FORT ANN VOLUNTEER FIRE COMPANY TO PURCHASE ONE (1) FERRARA ENGINE RESCUE TRUCK**

On motion of Councilwoman Witherell, seconded by Councilman Denison to accept resolution entitled "Set a Public Hearing for 9/1/15 @ 10:00 a.m. for the Purpose of considering the Fort Ann Volunteer Fire Company to Purchase one (1) Ferrara Engine Rescue Truck"

ADOPTED      AYES 5              Witherell, Denison, Varney, Stark, Dumas

**RESOLVED**, that the Fort Ann Town Clerk will advertise in The Post Star a notice of public hearing for 9/1/15 @ 10:00 a.m. for the purpose of considering the Fort Ann Volunteer Fire Company to purchase one (1) Ferrara Engine Rescue Truck.

**RESOLUTION#61-15**

**RETIREMENT STANDARD WORKDAY AND REPORTING RESOLUTION**

On motion of Supervisor Dumas, seconded by Councilman Denison to accept resolution entitled "Retirement Standard Workday Resolution for Employees"

ADOPTED      AYES5              Witherell, Denison, Varney, Stark, Dumas

**RESOLVED**, that the Town of Fort Ann hereby establishes the standard work day for elected and appointed officials.

**RESOLUTION #62-15**

**BUDGET TRANSFER BETWEEN APPROPRIATIONS**

On motion of Councilwoman Witherell, seconded by Councilman Varney to accept resolution entitled "Budge Transfer Between Appropriations"

ADOPTED      AYES 5              Witherell, Varney, Stark, Denison, Dumas

**RESOLVED**, Budget transfers between appropriations to cover shortages in the General Fund accounts for the 2015 fiscal year.

Supervisor Dumas stated with Barb Burch retiring as Clerk to the Justice a resolution will be needed to appoint Anne S. Wilcox to that position. Anne has been working with Barb Burch to get the necessary training. Supervisor Dumas stated she knows Anne will do a great job.

**RESOLUTION #63-15**

**APPOINTING ANNE S. WILCOX AS PART-TIME CLERK TO THE JUSTICE**

On motion of Supervisor Dumas, seconded by Councilwoman Stark to accept the resolution entitled "Appointing Anne S. Wilcox as part-time Clerk to the Justice"

ADOPTED      AYES 5              Witherell, Varney, Denison, Stark, Dumas

**RESOLVED**, that the Fort Ann Town Board hereby affirms the appointment of Anne S. Wilcox as the part-time Clerk to the Justice as of August 1, 2015.

**RESOLUTION #64-15**

**APPOINTING LYNN A. STEVES AS A FORT ANN PLANNING BOARD MEMBER**

On motion of Supervisor Dumas, seconded by Councilman Denison to accept the resolution entitled "Appointing Lynn A. Steves as a Fort Ann Planning Board Member"

ADOPTED      AYES 5              Varney, Witherell, Denison, Stark, Dumas

**RESOLVED**, that the Town of Fort Ann hereby appoints Lynn A. Steves as a Fort Ann Planning Board Member through the remainder of the unexpired term.

Correspondence: Supervisor Dumas mentioned that she received a note from Town Justice Richardson that he is resigning from his position as of September 4, 2015.

Supervisor Dumas received a thank you letter from Arlene Green, President, The Old Stone House Library, thanking the Town Board for their support of the "Fantastic Fridays" and their commitment to the children of Fort Ann.

Supervisor Dumas was presented with a voucher at tonight's meeting from Barbara Eagle asking for reimbursement for the Town of Fort Ann to purchase two (2) banners to hang from the light fixtures on George Street.

**RESOLUTION #65-15**

**ACCEPTING THE VOUCHER PRESENTED BY BARBARA EAGLE TO REIMBURSE HER FOR TWO TOWN OF FORT ANN BANNERS**

On motion of Councilman Varney, seconded by Councilwoman Witherell to accept the resolution entitled "Accepting the voucher presented by Barbara Eagle to reimburse her for two Town of Fort Ann Banners"

ADOPTED      AYES 5              Witherell, Varney, Denison, Stark, Dumas

**RESOLVED**, that the Town of Fort Ann hereby accepts the voucher presented by Barbara Eagle to reimburse her for two Town of Fort Ann Banners.

**RESOLUTION #66-15**

**ACCEPT THE ESTIMATE FROM NICHOLS ELECTRIC COMPANY TO CHANGE THE FUSE BOX IN THE ATTIC AT THE OLD STONE HOUSE LIBRARY**

On motion of Councilman Varney, seconded by Councilwoman Witherell to accept the resolution entitled “Accept the estimate from Nichols Electric Company to change the fuse box in the attic at the Old Stone House Library”

ADOPTED      AYES 5              Varney, Witherell, Denison, Stark Dumas

**RESOLVED**, that the Town of Fort Ann hereby accepts the estimate presented by Nichols Electric to change the fuse box in the attic at the Old Stone House Library to small circuit breaker panel.

County Update: Supervisor Dumas spoke of 2016 budget preparations at the county; getting ready for the Washington County Fair the week of August 24<sup>th</sup> and interviewing for the position of Washington County Public Safety Director.

Public Discussion was opened at 9:38 p.m.

Mr. John Bruhns owns property on Route 149. He went to the Town of Fort Ann Planning Board with an application for subdivision approval and due to the existence of a mobile home on the property, the proposed subdivision will require a variance under the Mobile Home Local Law of 1990. As a result he was referred here with an application for a variance. The Town Attorney advised that the Town of Fort Ann has a Local Law that regulates the placement of mobile homes and travel trailers in the Town and based upon his proposal, it requires two variances. Due to the fact there is no Zoning Board in the Town, by local law, the Town Board has the authority for considering and granting variances from the local law. The requested variances are from the acreage requirement and the side and rear setbacks.

There was an extensive discussion concerning the requested variances, whether they were substantial and the opinions of the members of the Town Board. Mr. Bruhns expressed his frustration with the requirements and the process as a whole. Councilman Denison stated that the proposed lot size was too small. Councilman Denison stated that he may be willing to consider relief from the side setback requirement, but the placement of the existing mobile home, the community character, the necessity for locating a well and septic, especially if the septic ever needed to be replaced, led him to the conclusion that a waiver would not be in harmony with the public health, safety and general welfare. The proposal was insufficient and would not create a practical difficulty or result in unnecessary hardship due to the presence of alternatives. There simply were too many substantial variances being requested at too great a cost.

Motion was introduced by Councilman Denison, seconded by Councilwoman Witherell to deny Mr. Bruhns’ variance request.

ADOPTED      AYES 5              Witherell, Varney, Denison, Stark, Dumas

Mr. Schulz asked for the Town Board’s support of the following:

**RESOLUTION #67-15  
SUPPORTING CONSIDERATION OF AN AMENDMENT TO NEW YORK STATE’S SOCIAL STUDIES  
LEARNING STANDARD NO. 5, CIVICS CITIZENSHIP AND GOVERNMENT**

On motion of Supervisor Dumas, seconded by Councilman Denison to accept resolution entitled “Resolution supporting consideration of an amendment to New York State’s Social Studies Learning Standard No 5, Civics Citizenship and Government”

ADOPTED	AYES 3	Dumas, Denison, Witherell
	NAY 1	Varney
	ABSTAIN	Stark

A complete copy of the resolution is on file with the Town Clerk.

**RESOLVED**, that the Clerk of the Town of Fort Ann Board be, and hereby is, authorized and directed to forward copies of this resolution to Governor Andrew M. Cuomo, Senator Elizabeth O’C. Little, Assemblyman Daniel G. Stec, the New York State Assembly and Senate Majority and Minority Leaders, the Assembly and Senate Education Committee Chairmen, and the New York State Board of Regents.

**RESOLUTION #68-15  
SUPPORTING CONSIDERATION OF THE ADOPTION OF A NEW YORK STATE LAW THAT WOULD  
AMEND THE EDUCATION LAW, IN RELATION TO THE COMMON CORE STATE STANDARDS  
INITIATIVE, THE RACE TO THE TOP PROGRAM AND THE PARTNERSHIP FOR ASSESSMENT OF  
READINESS FOR COLLEGE AND CAREERS CONSORTIUM**

On motion of Supervisor Dumas, seconded by Councilman Denison to accept resolution entitled “Resolution supporting consideration of the adoption of a New York State Law that would amend the educational law, in relation to the common core state standards initiative, the race to the top program and the partnership for assessment of readiness for college and careers consortium”

ADOPTED	AYES 4	Dumas, Denison, Witherell, Varney
	ABSTAIN 1	Stark

**RESOLVED**, that the Clerk of the Fort Ann Town Board be, and hereby is, authorized and directed to forward copies of this resolution to Governor Andrew M. Cuomo, Senator Elizabeth O’C. Little, Assemblyman Daniel G. Stec, the New York State Assembly and Senate Majority and Minority Leaders, the Assembly and Senate Education Committee Chairmen, and the New York State Commissioner of Education.

A complete copy of the resolution is on file with the Town Clerk

Public Discussion was closed at 10:39 p.m.

On motion of Supervisor Dumas, seconded by Councilman Varney to move into executive session for the purpose of personnel matters.

Motion was carried.

On motion of Councilwoman Witherell, seconded by Councilman Varney to come out of executive session.

Motion was carried.

**RESOLUTION #69-15**

**RESOLUTION TO CONTINUE TO PAY THE CLERK TO THE JUSTICE, ANNE S. WILCOX, AT THE ADOPTED 2015 BUDGETED SALARY**

On motion of Supervisor Dumas, seconded by Councilman Denison to accept the resolution entitled "Continue to pay the Court Clerk, Anne Wilcox, at the adopted 2015 budgeted salary"

ADOPTED      AYES 5              Dumas, Denison, Varney, Witherell, Stark

**RESOLVED**, that the Court Clerk, Anne Wilcox, will continue to be compensated at the adopted 2015 budgeted salary.

On motion of Councilwoman Witherell, seconded by Councilman Varney to adjourn at 10:50 p.m.

Motion was carried unanimously.

Total Abstracts:	General	\$17,496.00
	Highway	\$21,581.85
	Youth Commission	\$ 115.95

Respectively submitted,

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Barbara J. Winchell, Town Clerk

Dated: August21, 2015