

MINUTES OF THE PUBLIC HEARING AND REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF FORT ANN HELD DECEMBER 14, 2015 AT THE TOWN HALL COMMENCING AT 7:00 P.M.

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

OTHERS PRESENT: Paul Winchell, Highway Superintendent, Jeff Meyer, Town Attorney, Helen Denno, Confidential Secretary to the Supervisor, Barbara Winchell, Town Clerk, Dave Dumas, Richard Moore, Denny Fletcher, Gene Connell, Joe Loszynski, Don Ballard, Dave DeLor, Arlene Green, Michael LaCross, Dale Grinnell, Floyd Ladd, Alex Dilallo, Renee Bouplon, Carolyn Ouderkirk, Mary Davis

Meeting was called to order at 7:01 p.m. with the Pledge of Allegiance to the Flag led by Councilwoman Stark. A moment of silence for deceased Fort Ann residents James Ladd and John Cozzens.

Motion was introduced by Supervisor Dumas, seconded by Councilwoman Witherell to accept the minutes of the Budget Workshop Meeting of October 29, 2015.

Motion was carried.

Motion was introduced by Supervisor Dumas, seconded by Councilwoman Stark to accept the minutes of the Regular Town Board Meeting of November 9, 2015. Councilman Denison and Councilwoman Witherell wanted it noted that page 110 should include that the Fort Ann Firehouse members that were present at the 11/9/15 Town Board meeting stated that they did not want the proposed ice rink behind the Fort Ann firehouse because of liability reasons. Councilman Denison wanted it noted that he was never questioning the Highway Superintendent's abilities to oversee the dam – he was only questioning, during the 2016 budget process, what the responsibilities were in overseeing the dam.

Motion was carried.

Motion was introduced by Councilwoman Witherell, seconded by Councilman Varney to pay bills as warranted and audited. Councilwoman Witherell asked about #489. Bookkeeper, Helen Denno, replied that it was for Planning Board services rendered by Meyer & Fuller. Councilwoman Witherell was curious because it had to do with the canal system. Councilman Denison made exception to bills associated with vouchers #475 and 493.

Town Clerk asked Supervisor Dumas for permission to ask a question. Supervisor Dumas granted Town Clerk permission to ask if the 6:30 p.m. – 7:00 p.m. audit time frame prior to the

start of the Town Board meeting is when the questions of any vouchers/bills is supposed to occur? Supervisor Dumas replied yes that is correct and announced to the new board members in the audience they should keep that in mind for future meetings.

Motion was carried.

Supervisor's Report: Supervisor Dumas stated the monthly financial statement is available on the Town's website and a paper copy is available upon request. She stated she seems to be receiving more emails than phone calls lately. Supervisor Dumas stated it hasn't been decided whether to keep the town website up and just not have it updated after 1st of the year or just shut it down. She is trying to get everything cleaned up before year end. The only outstanding thing she can think of has to do with Streetscape Project from a couple of years ago in which the town had to send in a \$100,000.00 check to keep the grant going. So there should be \$100,000.00 check coming back to the town shortly and when the check is received it is to be split \$25,000.00 to the Village of Fort Ann and \$75,000.00 is for the Town of Fort Ann to go back into the General Fund.

Town Clerk's Report was given for the month of November 2015.

Dog Control Report was given to each Town Board member for the month of November 2015.

Public Hearing: None

Public comment opened at 7:15 p.m. Supervisor Dumas reminded those in attendance that public comment is for items on the agenda.

Public comment closed at 7:16 p.m. with no comments being made.

Supt of Highways Report: The Highway Superintendent stated they've been busy doing tree and ditch work at Kelsey Pond. Hired a person for a ½ day doing tree work at Hadlock Pond. They've been busy cutting brush on Goodman Road, West Road and over at Hadlock. The trucks are ready for winter. He thanked Supervisor Dumas on behalf of himself and the Highway Department for all she has done for them the last four (4) years.

Councilwoman Stark stated she attended an Office for the Aging (ADRC) meeting last week and she is posting a list of resources available to Senior Citizens on the Town bulletin board. The Champlain Canal Trail Committee is still working on the trail from Waterford to Whitehall. The trail is open from Greenwich to Fort Edward using Route 4. She recently attended a bus trip to Rome, New York with the Fort Ann Senior Citizens and had a great time. The next trip is to Boston, Massachusetts in May and she'll put the details on the bulletin board.

She stated that the ice fishing derby is scheduled for January 9, 2016.

She also thanked Supervisor Dumas for the last four (4) years and bringing the town together by bringing committees together with the Senior Citizens, Library and Historical Society to name a few.

Councilwoman Witherell believes there is a picnic table missing at the canal park. She believes there were six (6) and now there are only five (5).

Enforcement Officer Report was given for the month of November 2015. He stated he had one (1) email, twenty four (24) phone calls, fifteen (15) voice mail's, signed seven (7) building permits, three (3) citizen complaints and one (1) citizen complaint is still outstanding.

Town Historian: Not present

Lake Hadlock Project Manager, Joe Loszynski, emailed a copy of his progress report to the Town Board Members and there is a copy on file in the Town Clerk's Office should anyone like a paper copy.

Old business: None

New business: Renee Bouplon, Associate Director, Agricultural Stewardship Association, based out of Greenwich spoke in regards with working with Fuller Acres Farm in Fort Ann to write a grant proposal for the purchase of development rights. This is a state grant specifically for the protection of farms in the Hudson Valley (the grant is called the Hudson Valley Agricultural Enhancement Program) and is administered by the NYS Department of Agriculture and Markets. The grant is due January 29, 2016 and requires a letter of support from the Town of Fort Ann. The town will have no other obligations or responsibilities related to the grant or its administration, if awarded. Agricultural Stewardship Association (ASA) can assist with writing the letter. The Town Board all agreed this was a good idea to write a letter in support of this.

Supervisor Dumas advised a resolution was necessary for LOSAP that the program runs November 1st through October 31st every year for Pilot Knob and West Fort Ann Fire Districts. She has given the information to Fort Ann Fire Company to look into but it is expensive.

RESOLUTION #86-15

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

On motion of Supervisor Dumas, seconded by Councilwoman Witherell to accept resolution entitled "Authorizing contract and payment with Penflex, Inc. for purpose of LOSAP program for West Fort Ann and Pilot Knob Fire Districts"

ADOPTED-VOTE-

AYES 5 Varney, Denison, Dumas, Stark, Witherell

RESOLVED, that the Fort Ann Town Board authorizes the Town Supervisor to accept and the necessary agreements on behalf of the Town of Fort Ann to carry out the terms of this agreement.

Supervisor Dumas stated that another resolution is being requested for fire and security alarm systems at the Old Stone House Library as well as the Town Hall. She stated there were three (3) proposals received and Mahoney was the most affordable.

Councilman Varney asked if this was mandatory and Supervisor Dumas replied no.

Don Ballard brought up the fact that low temperature can trigger the alarm. The Bookkeeper will research this as it doesn't appear to be mentioned in the paperwork received.

Councilman Denison stated this should wait until the new board takes over so a more thorough review of the proposals can take place– that waiting a couple more weeks won't make a difference.

RESOLUTION #87-15

AUTHORIZING THE ACCEPTANCE OF THE PROPOSALS FOR FIRE AND SECURITY ALARM SYSTEMS

On motion of Supervisor Dumas, seconded by Councilwoman Witherell to accept resolution entitled "Authorizing the acceptance of the proposals for the fire and security alarm systems"
ADOPTED-VOTE-

AYES 4 Dumas, Stark, Witherell, Varney

NAYES 1 Denison

RESOLVED, that the Town Board authorizes the Town Supervisor to accept the proposals as submitted by Mahoney Alarms and execute the same on behalf of the Town of Fort Ann.

RESOLUTION #88-15

RESOLUTION NAMING THE CANAL PARK

On motion of Supervisor Dumas, seconded by Councilwoman Stark to accept resolution entitled "Approving the renaming of the canal park"

ADOPTED-VOTE-

AYES 5 Dumas, Witherell, Stark, Denison, Varney

RESOLVED, that the Town Board of the Town of Fort Ann hereby approves formally naming the Canal Park The Eugene Ouderkirk Park in memory of Mr. Eugene Ouderkirk.

Councilman Denison referred to #2 of Mr. Loszynski's December 13, 2015 progress report that states a resolution is needed approving the purchase of a pontoon boat needed to facilitate the surface collection of milfoil.

Supervisor Dumas stated she is not comfortable approving a resolution when she hasn't received the required two (2) other quotes. She stated this money is in the 2016 budget and it should be the 2016 board to make this decision. Councilman Denison referred this issue to the Town Attorney for his opinion on whether it was proper to go forward with this tonight while waiting for the other two (2) quotes to come in. The Town Attorney stated that if the Town Board did want to proceed in this manner, he would request that someone go out obtain two (2) additional quotes and formally sign off on the quotes confirming that they are in fact comparable. It is not a determination that should be left to the Attorney for the Town. But to answer Councilman Denison's question, though it is not recommended, it is not necessarily to proceed in this manner tonight.

RESOLUTION #89-15

APPROVING THE PURCHASE OF A PONTOON BOAT

On motion of Councilman Denison, seconded by Councilwoman Witherell to accept resolution entitled "Approving the purchase of a pontoon boat"

NOT ADOPTED-VOTE-

AYES 2 Denison, Witherell

NAYES 2 Stark, Dumas

ABSTAIN 1 Varney

Motion Failed.

Councilman Denison stated that #4 (approval and signing of the MOU for lake manager) of the December 13, 2015 progress report can wait until January. Supervisor Dumas agreed.

Councilman Denison referred to #1 of the December 13, 2015 progress report (A town resolution is needed approving the contents and dissemination of the RFP for hand harvesting for 2016).

Councilman Varney and Councilwoman Witherell stated they have not reviewed the RFP. Attorney Meyer will forward the RFP to the Town Board member's for them to review. He stated it basically is the same every year with just a few modifications.

RESOLUTION #90-15

APPROVING THE REQUEST FOR PROPOSAL FOR HAND HARVESTING SERVICES AND AUTHORIZING PUBLICATION THEREOF

On motion of Supervisor Dumas, seconded by Councilman Denison to accept resolution entitled "Approving the Request for Proposal for Hand Harvesting Services and Authorizing Publication Thereof"

ADOPTED-VOTE-

AYES 5 Varney, Witherell, Denison, Stark, Dumas

RESOLVED, that the Town Board hereby approves the Request for Proposals to conduct hand harvesting services for the containment and eradication of Eurasian Water Milfoil on Lake

Hadlock, is substantially the same form as attached hereto subject to final approval by the Attorney for the Town.

County Update: Supervisor Dumas spoke of Washington County being awarded \$600,000.00 block grant money as a result of the 2015 Regional Economic Development. A determination will be made in the future on how those funds will be spent.

Public Discussion was opened at 7:54 p.m.

Joe Loszynski referred to #3 of his December 13, 2015 progress report (A Town Resolution is needed transferring the responsibility of the mechanical harvesting program from the town highway superintendent to the project manager for Lake Hadlock Park District).

The Highway Superintendent stated in the fourteen (14) years that he has been Highway Superintendent he was never been in control of the weed boat.

Civil Service questions arose and since the Project Manager is not an employee of the Town of Fort Ann the bookkeeper will research the logistics of whether it has to be the Highway Superintendent to be the appointing authority for civil service paperwork.

Arlene Green thanked Supervisor Dumas on behalf of the Old Stone House Library, Historical Society and her special interest in going on the cemetery tours.

A public hearing will be set up for January 11, 2016 to consider the proposal received from the West Fort Ann Volunteer Fire Company, Inc. on buying a truck. The hearing shall be for the purpose of considering the adoption of a resolution approving the financing agreement between the West Fort Ann Volunteer Fire Company, Inc. and First Bankers in a maximum aggregate principal amount not to exceed \$500,000.00, the purpose of which loan is to finance in part the purchase on one (1) Ferrara Pumper Truck and to pay costs and expenses incidental to the financing. The Fire Company will be required to pay all taxes on the equipment. The purchase is related to the obligations of the Fire Company under its fire protection service agreement with the Town of Fort Ann. The equipment shall be owned and operated by the Fire Company and shall be located at the fire house 49 Joe Greene Rd., Fort Ann, New York.

Public Discussion was closed at 8:10 p.m.

Supervisor Dumas stated "It is with mixed emotions that I will read my final blog entry as Supervisor of Fort Ann.

I would like very much to thank the people of Fort Ann for electing me supervisor in 2011 and again in 2013. This has been a great experience and it has been a privilege to serve as your supervisor. I also want to thank the people who supported me again this year. I greatly appreciate your belief in me.

In 2011, I was an extremely frustrated citizen of the Town of Fort Ann. I was frustrated with how our government was being run, with not being able to get any information about what our Town was doing, and extremely frustrated with its apparent unwillingness to listen to the people of the Town. I decided that I wanted to run for office and try to change things for the better. I campaigned on a good government platform and discovered that there were many people in town who felt just as I did.

During the first term, I was determined to make information available to the citizens of the Town. We created a website, loaded town documents on it, and changed procedures for town board meetings so people could talk and we could listen to them. I made sure agendas were on the website prior to meetings and minutes and financial reports were on the website after meetings.

I also wanted to fix the town's finances. I was determined to keep the budget below the tax cap each year and did so. I worked on eliminating the town's debt and the town is now debt-free. I build up our reserves, earned an A-1 credit rating for the town and created a bond to lower Lake Hadlock taxes.

We also created a code of ethics and a board of ethics. I felt strongly that we needed those as part of bringing good government to Fort Ann. I established this blog and started having Supervisor on the corner meetings to reach out to the citizens even more. I created three new positions at the town, supported Battle Hill, the historical society, the library and other town organizations while still keeping taxes low. I was a strong supporter of the environmental efforts at Lake Hadlock. Most of all, I worked hard to make sure that our Town government was open and honest and trustworthy for without those things we have nothing.

It has been a privilege serving as your supervisor. I have tried to the best of my ability to represent every single citizen of the Town equally. On average, I've worked more than 60 hours per week on Town & County business for each of the last four years. I did my best and I hope that the open, honest standards that we established will continue in the future.

I have made many wonderful friends over the last four years and for that I am truly very thankful. I will miss working with some folks like: Paul, Barb, Helen and my County colleagues. It's been hard, it's been fun and, at times, it's been just plain frustrating. However, my friends and family, especially my husband, have said that they are glad to "finally have me back". So now it's time for the next big adventure.

Thank you and good night".

Supervisor Dumas declared the meeting adjourned at 8:15 p.m.

Motion was carried unanimously.

Total Abstracts:	General	\$ 29,845.10
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Highway

\$ 130,221.75

Respectively submitted,

Barbara J. Winchell, Town Clerk

Dated: December 22, 2015