

August 23, 2016    Regular Meeting    6:00PM

PRESENT: Mayor Bartholomew; Trustees Mohn, Sandford and Norton; Attorney Erika Sellar Ryan; Sgt. Richard LaChapelle; Carol Greenough; James Allen; Charles Bennett; Tammy Bennett; Michael Bennett; Garry Bennett; Randall Martel; Teresa Austin

Mayor Bartholomew opened the public hearing at 6:00PM to take comments regarding proposed Local Law #5 of 2016 titled “A Local Law Requiring the Registration of Absentee Owners/Responsible Persons”. Clerk-Treasurer Stephanie LaChapelle requested that the date the absentee owner must file their information with the Village be changed from July 1<sup>st</sup> of each year to June 1<sup>st</sup>. Garry Bennett feels that this law is a good idea and is needed for violating owners whose properties are not being maintained. Randall Martel asked if local landlords needed to file their information. He was told that only absentee (outside of Whitehall) owners would have to comply with this law. Sgt. LaChapelle asked about bank owned properties complying with the law. Attorney Sellar Ryan stated that a new stricter law will be enacted by the State requiring banks to maintain the properties. Motion made by Trustee Norton, seconded by Trustee Mohn to close the public hearing at 6:08PM, all voting in favor,

CARRIED

Motion made by Trustee Mohn, seconded by Trustee Sandford to adopt Local Law #5 of 2016 titled “A Local Law Requiring the Registration of Absentee Owners/Responsible Persons” with the change of the filing date from July 1<sup>st</sup> to June 1<sup>st</sup>, all voting in favor,

CARRIED

Randall Martel was here to get answers regarding his sewer line. He wants to have a sewer line that is closer to his house like everybody else in the Village. He has to maintain 194' of private sewer line and doesn't want to have to be responsible for 194' of sewer line that crosses two other property owners land. He doesn't feel that this is fair to him. Mayor Bartholomew stated that the Village can't work on private property and is responsible for the sewer line from the Y to the main line. Trustee Sandford stated that he would like to give Mr. Martel a new sewer line but the Village can't do that at taxpayers expense. Mr. Martel asked how much the taxpayers paid to create a street next to two feuding neighbors near Spring Street. He feels this wasn't done legally as new deeds have not been filed and taxpayers shouldn't have paid for this. Attorney Sellar Ryan stated that the Village cannot perform legal work for someone else. The owners need to file new deeds referencing the survey map. Trustee Sandford asked Mr. Martel to put in writing what information he was requesting regarding the Spring Street situation and he would get answers for Mr. Martel.

Charles, Tammy and Michael Bennett were here regarding their letters requesting permission to target shoot on their own property. Mayor Bartholomew asked Sgt. LaChapelle if he or Chief Bassett had looked at the property. Sgt. LaChapelle stated that they had not looked at the property and the Police Department recommended using Dept. of Environmental Conservation laws and leave the Village out of the situation. Garry Bennett asked after 45 years of doing target shooting on his property that there is now an issue. There was a complaint filed with the police department. Mayor Bartholomew stated that there is a local law and the owners would have to request permission to target shoot on their property. The Village would have to publish a notice in the paper and do a specific resolution granting permission specific to each case.

James Allen of Allen Forestry requested bids for timber harvesting on the Village's property at Pine Lake. Mr. Allen reported that no bids were received. He feels this is because the pulp wood market is low and the loggers are busy. He would like to wait a couple of months, check the pulp wood market and then redo the bid.

Motion made by Trustee Sandford, seconded by Trustee Norton to approve the minutes of the July 19<sup>th</sup> meeting, all voting in favor,

CARRIED

LETTERS: Time Warner Cable sent a letter stating the Village will receive \$6,149.48 for franchise fee payment. Charter Communications sent correspondence regarding possible programming changes. A letter was received from Washington Co. Board of Supervisors advising that the County will not consider adding village costs to tax bills. NYS Dept. of Environmental Conservation sent correspondence regarding the inspection of Lock C-12 Dam. NYS Dept. of Transportation requesting the removal of debris from the right of way along Route 22. A notice of violation was received from NYS Dept. of Health regarding the failure to maintain residual disinfectant concentration and failure to make public notification. This situation was rectified and the notice will be published. Donald Longtin requested to have a dead tree removed. It was determined that the tree was on Mr. Longtin's property and the Village could not remove it. Bartlett, Pontiff, Stewart & Rhodes sent a refund request in the amount of \$7,624.55 on behalf of Lemnotis pursuant to the Stipulation and Settlement of Order of the

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Supreme Court, Washington County, Hon. Stan L. Pritzker and pursuant to New York Real Property Tax Law 726 for tax parcels number 51.17-4-25 and 60.5-2-19. A notice of special proceeding for judicial review of assessment on certain property pursuant to Real Property Tax Law 708 regarding Whitehall Properties of Albany. James Brooks, Jr. submitted a letter of resignation. Motion made by Trustee Mohn, seconded by Trustee Norton to accept and file the correspondence, all voting in favor,

CARRIED

Motion made by Trustee Sandford, seconded by Trustee Norton to refund \$7,624.55 due to an assessor error to Lemnotis, all voting in favor,

CARRIED

Motion made by Trustee Sandford, seconded by Trustee Mohn to accept James Brooks, Jr. resignation, all voting in favor,

CARRIED

BILLS: Motion made by Trustee Sandford, seconded by Trustee Norton to approve payment of the abstract covering claims #117-182 totaling \$276,477.96, all voting in favor,

CARRIED

REPORTS: July reports were received from Heritage Area Director, Village Justice, Acting Village Justice and the Police Department. The Planning Board submitted a report regarding their meeting on July 11<sup>th</sup>. Motion made by Trustee Sandford, seconded by Trustee Mohn to accept and file the reports, all voting in favor,

CARRIED

APPLICATIONS: Jeremiah Whitney and Shawn Millard submitted applications. Motion made by Trustee Sandford, seconded by Trustee Norton to accept the applications and to place them on file, all voting in favor,

CARRIED

Motion made by Trustee Sandford, seconded by Trustee Mohn to approve the attached resolution to adopt the “Think Differently” initiative so that all are better prepared to communicate with, provide for and support those living on the Autism Spectrum and with special needs, all voting in favor,

CARRIED

Motion made by Trustee Mohn, seconded by Trustee Sandford to approve the attached resolution recognizing and considering incorporating “Complete Streets” design features and practices in planning for any construction or repair of streets, all voting in favor,

CARRIED

Motion made by Trustee Sandford, seconded by Trustee Norton to adopt the attached Complete Streets Policy of the Village of Whitehall, all voting in favor,

CARRIED

Mayor Bartholomew is appointing the following to the Historic Preservation Commission: Harold Nicholson, Carol Greenough, David Molenaar, Sally Raino, James Aiken and Peter Telisky. Motion made by Trustee Norton, seconded by Trustee Mohn to approve the appointments, all voting in favor,

CARRIED

Trustee Mohn gave a report regarding an estimate from Weld Power Generator for work needed on the Village's generators totaling \$40,498.28. It was discussed that Pump Station #4 was a priority at a cost of \$9,801.50. Mayor Bartholomew will get estimates for the transfer switches from HOUR Electric. Trustee Mohn stated that she received complaints regarding the tree removals on Williams Street. Mayor Bartholomew stated that the trees had to be removed because they were causing damage to the sidewalks.

Trustee Norton reported that the sustaining valve at the water treatment plant has been repaired. Pall Corp. will be at the water treatment plant for maintenance and checking the alarm system.

Mayor Bartholomew reported that the Village would not be able to trade properties with Mark Gordon because the Village does not own the parking lot.

Motion made by Mayor Bartholomew, seconded by Trustee Mohn to convene into executive session to discuss specific employee work history at 7:34PM, all voting in favor,

CARRIED

Motion made by Trustee Mohn, seconded by Trustee Sandford to end executive session and to adjourn the meeting at 7:53PM, all voting in favor,

CARRIED

Stephanie A. LaChapelle  
Clerk-Treasurer

