

TOWN OF WHITEHALL
7 PM
PUBLIC HEARING
REGULAR MEETING TO FOLLOW
57 SKENESBOROUGH DRIVE

September 21, 2016

PRESENT: George Armstrong – Supervisor
John Rozell-Councilperson
Stephanie Safka – Councilperson
David Hollister-Councilperson
Farrell Prefontaine – Councilperson

OTHERS PRESENT: Town Clerk, Julie Millett; Town Assessor, Bruce Caza; Heritage Director, Carol Greenough; Whitehall Times Reporter, Dan King; Town Attorney, Erika Sellar-Ryan; Compliance Officer, Vernon Scribner, John Millett Jr.; Rec. Director, Julie Eagan, Joe Pinkowski, David Waters, Elaine Jones, Catherine Tobin, Deputy Fire Chief, Brian Brooks and students from the government class at Whitehall Central School.

Sign in sheet will be filed with the minutes.

Supervisor opened up Public Hearing with Pledge of Allegiance to Flag and prayer. Public Hearing Notice put in the Whitehall Times on 9/8/16 and 9/15/16 and also on Town/Village web page.

Supervisor opened up the Public Hearing on the PILOT for comments at 7 PM. Supervisor asked Bruce Caza to explain what will happen with the PILOT (payment in lieu of taxes). The solar company has notified the Town and the Town has 60 days to respond to the company if they wish to set up a PILOT. The solar company is allowed 100% exemption on the improvement of the project if the Town does not ask for a PILOT. The Town Board and the Town Attorney responded in a timely manner that they want a PILOT. The Public Hearing is so the public has a right to speak on pros and cons of this PILOT. We met with a couple of people from Borrego Solar with the town attorney and we will negotiate with the developer. The County wants us to do a % not a \$ amount. When we get to an agreement the Town Board will pass a resolution granting them whatever the % or \$ amount is. This solar exemption has been out since 1977 and it seems like it is now being used more. The Town will be the lead agency on this. The assessor did testify in front of the Board of Supervisors last Friday at the County. The report that George had done by Washington County Real Property should have never been

given out to people. The assessor feels that the solar project will benefit the Town. Solar will be very good neighbors for Whitehall and for Washington County.

Supervisor stated that at on Friday County Board meeting there was an attempt to have the County opt out of 487 exemptions and fortunately we were able to table that. There are 17 supervisors and only 7 voted to table it, but they were the 7 that had the most votes and we go by a weighted vote. The main one being the Town of Kingsbury. The County right now is allowing the exemption until they either choose to bring it back up on the floor and vote otherwise. Most of the County public hearings there were few there from the public, but at this one we had at least 7 speakers for solar. Bruce Caza did an excellent job speaking to the supervisors and telling them whatever they were attempting to do was premature.

At this time Supervisor opened the floor for comments.

John Millett Jr. asked if the County can dictate to the Town on how they do the PILOT by % or \$ amount. Bruce Caza was told by Laura Chadwick at Washington County Real Property it is easier for them to do a % amount.

Dave Waters was concerned again about what this would do to the taxpayers of Whitehall. He wants to know if the PILOT program will protect the taxpayer. Assessor commented again that the report that was out there should have never been created. If you have 20 acres of ag land and if that is converted to industrial for some reason there is a change in use. When there is a change in use the property owner who is in the ag district must now pay a penalty for that change of use. For an example the land assessment before the exemption was say \$58,750 and after the change in use \$331,100 so it when up six fold. There are three different ways to value property. We know what the panels are going to produce in electricity so we know what the income stream is and what their expenses are. We call it net present value and the numbers that we have will be around 3 million. If the Board comes up with 50% for the PILOT, then they will pay taxes on 1.5 million. They are not exempt from the fire tax so they will pay on the whole amount. The assessor feels it is a win-win situation. The assessor feels that they are a good neighbor because they only show up to check the panels and mow the lawn. David Waters thanked Bruce for his presentation and stated that he finally understands it.

Joe Pinkowski would like to ask the assessor if his property value will go down because of one of these solar fields. Bruce stated that an assessment is an appraisal and an appraisal is an opinion based on documentation. Bruce has about 30 applications on his desk for rooftop solar projects. The only way to see if a property is worth more or less is to see sales and have a market study done and until then the assessor can't go out and lower or raise assessments due to a solar project being next door to your property. Bruce had property owners coming in next to the stone quarries wanting their assessment lowered because of the noise, but until the market dictates that he does not have the authority.

John Millett Jr. wanted to know how the PILOT would be handled. He doesn't believe that the Town counts on that and it is money that goes into the general fund. John feels that any money that the Town receives from the PILOT should go toward the Rec. Center's budget for the kids and the new fence that is needed. Councilperson Prefontaine stated that the Town has

pumped a lot of money into the Rec. Center over the years. John Millett stated that it gets a lot of use over there with the kids. Councilperson Prefontaine thinks we should fix the fence. Supervisor stated that we have a request for money in to Betty Little for money to repair two sections of the fence and we are waiting for her response. Supervisor asked for any other comments on the Public Hearing and with none closed the Public Hearing at 7:20 PM and opened regular meeting.

Motion to accept the prior minutes of August 17, 2016 made by Councilperson Safka and seconded by Councilperson Hollister.

ADOPTED **Ayes 5 Armstrong, Rozell, Safka, Prefontaine, Hollister**
Nays 0

Heritage Report- written report by Carol Greenough

Rec. Report-written report by Julie Eagan

Comment on justice report on dog cases. Judge Julie Eagan stated that one ruling the owners of 9 dogs in a village case in one apartment. One is a civil judgment against one of the defendants for \$2200 and the other is a restitution one where the owner has one year to pay for around \$3,900 to the town clerk's office. If he doesn't pay by the end of the year, then it can be converted to a civil judgment and recover it through his property.

Dog Control Report-written report by Nancy Quell

Compliance Officer Report-verbal report by Vernon Scribner

Nothing to report this month

Town Clerk Report -written reports for July & August by Julie Millett

We received a check for \$200 from the American Legion for the Rec. lunch program.

Town Assessor Report- written reports for August & September by Bruce Caza

Town Supervisor Report – verbal report by George Armstrong

We are beginning the budget process at the County. NYS informs him that they are sending our AIMS check (aids in incentives in municipality and check). We had budgeted \$25,000 and sending \$25, 923.

Work is complete on three sides of the caboose.

Reduced hours at the pavilion and Rec. Center.

Summer lunch program was a great success, Bruce Wescott doing a great on the grounds.

Received paperwork that we will receive \$4,000 from Dan Stec to put toward cameras expense in the park. We will be working with the village to tie in the police with the cameras in the patrol cars.

Request is in for Betty Little funding for the playground fence and improvements in the meeting room.

Janet Kennedy is working with Friends of the IBA for displays at pavilion at no cost to the Town.

Article in the Whitehall Times showing the rate of pay for local municipalities and Whitehall ranked 82 out of 106.

We have received a letter from the fire company on what they would like for their contract.

Planning Board Report- written report by Gregg Chappell

Budget Officer Report – written reports by Joel Carpenter

Budget Transfers were read by Town Supervisor

Big expense was the new lawn mower for over \$7,000 which was not in our budget.

Resolution # 41 for Budget Transfers submitted by Joel Carpenter

Resolution # 42 for Budget Transfers submitted by Joel Carpenter

Motion by Councilperson Safka and seconded by Councilperson Hollister.

ADOPTED **Ayes 5 Armstrong, Rozell, Safka, Prefontaine, Hollister**
Nays 0

Resolutions will be filed with the minutes and in the Resolution Book.

Bruce Caza wanted to mention that he will be taking a solar class in October.

Town Highway Report- no report by Louis D. Pratt II

Louie is not here due to a death in the family. Our prayers are with him.

Motion to approve monthly reports made by Councilperson Prefontaine and seconded by Councilperson Hollister.

ADOPTED **Ayes 5 Armstrong, Rozell, Safka, Prefontaine, Hollister**
Nays 0

All Written reports will be filed with the minutes.

Supervisor has asked Jim Austin to go up and inspect the portion of the roof above the fire garage in this building. Brian Brooks stated that there is a part leaking. Brian asked permission to have Doran Roofing look at it when they look at the other roof. Supervisor gave Brian permission to have Doran look at the roof.

Supervisor spoke to Richard Bruce and he does want to continue on the Board of Assessment Review.

Motion to approve Richard Bruce's term of 10/1/16 – 9/30/21 made by Councilperson Safka and seconded by Councilperson Hollister.

ADOPTED **Ayes 5 Armstrong, Rozell, Safka, Prefontaine, Hollister**
Nays 0

Supervisor feels that the safe thing to do is to have a public hearing on overriding the tax levy. Budget Officer feels that we can stay within the tax cap, but just in case we can have a Local Law in place if we need it. We have many things that could put us over including a new contract with the highway and fire, increased health insurance costs and increasing our minimum wage. We hope to have a four-year contract with highway crew and a three-year contract with the fire company.

Resolution # 43 To Set Public Hearing for October 19, 2016 at 7 PM to Consider Local Law # 2 of 2016 for Overriding the Tax Levy Limit.

Copy of the proposed Local Law has been handed out to all board members for review.

Motion made by Councilperson Hollister and seconded by Councilperson Prefontaine

ADOPTED **Ayes 5 Armstrong, Rozell, Safka, Prefontaine, Hollister**
Nays 0

Budget Workshop set up for October 6, 2016 at 10 AM. Notice will need to go in Whitehall Times and posted on web page and town clerk signboard.

Tentative Budget for 2017 has been handed out to all board members for their review for upcoming workshops.

Supervisor stated that Whitehall Field Club on 61 Gray Lane has notified us of their applying for a liquor license. Board saw no problem with them applying for a liquor license.

Abstract # 9 of 2016 General Fund V#16-9- 1/19 \$ 13,970.06

Highway Fund V#16-9-1/10 \$ 7,419.51

Motion to pay the monthly vouchers made by Councilperson Safka and seconded by Councilperson Prefontaine.

ADOPTED **Ayes 5 Armstrong, Rozell, Safka, Prefontaine, Hollister**
Nays 0

Brian Brooks did a presentation to the public and the Board on the fire company and what some of the costs that are involved in running the company. The Village is in favor of adding the village to the town’s Town Fire Protection District. He also discussed the need of a local live fire training center. John Millett Jr. pointed out that the solar company is not exempt from the fire and will pay 100% fire on their assessments.

Brian’s letter will be submitted with the minutes.

Supervisor mentioned that there are four highway barns within the Town and the county is looking into consolidation. The state, village, town and county. Our highway superintendent is in favor of the county to relocate to the town barn at no cost to the town. Right now we have two beautiful loaders and more duplicate equipment. We have enough room because it is flat out there. Supervisor told Brian that we need to get together with the village along with Louie and discuss what we need to do. Councilperson Safka would like to know if the Troy Shirt Factory meets the fire company’s needs. If they did a live fire, we might have a problem with the smoke in the village. Stephanie would like Brian to give her an idea of what they would need for space in the town. Brian stated that they answered over 300 calls this year. Supervisor thanked Brian for all that the fire company does.

Councilperson Rozell mentioned that with all the work on County Route 18 and 21 they have ruined Beckett Road and Winters Road by driving on it. Louie will be meeting with the head county man to discuss what can be done. Catherine Tobin would like to mention all the graffiti on Buckley Road by the kids. It is disgusting and the kids should be made to go up there with little mops and clean it up.

Motion to go into Executive Session at 8:20 PM to discuss highway union negotiations by Councilperson Rozell and seconded by Councilperson Prefontaine.

ADOPTED **Ayes 5 Armstrong, Rozell, Safka, Prefontaine, Hollister**
Nays 0

The Board came out of Executive Session at 8:37 PM and returned to regular session and passed a **motion** to approve a 3% wage increase for Unionized Highway Crew for the years 2017, 2018, 2019 & 2020 made by Councilperson Hollister and seconded by Councilperson Safka.

ADOPTED **Ayes 5 Armstrong, Rozell, Safka, Prefontaine, Hollister**
Nays 0

Adjourned @ 8:45 PM

Respectfully submitted,

Julie Millett
Town Clerk

