

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

May 16, 2018

BOARD MEMBERS PRESENT: John Rozell – Supervisor
Christopher Dudley Sr.-Councilperson
Stephanie Safka – Councilperson
Timothy Kingsley-Councilperson

ABSENT: David Hollister-Councilperson

OTHERS PRESENT: Town Clerk, Julie Millett; Deputy Town Clerk, Patti Gordon; Highway Superintendent Louis D. Pratt II; Town Attorney, Erika Sellar-Ryan; Whitehall Times Reporter, Matt Saari; Heritage Director, Carol Greenough; Rec. Leader Julie Eagan.

Supervisor Rozell would like to thank Councilperson Kingsley for the beautiful table for the meeting room.

Public hearing was called to order at 7 PM by Whitehall Town Supervisor, John Rozell.
Pledge to the Flag by Supervisor Rozell.

Supervisor Rozell opened the Public Hearing on Local Law # 1 of 2018.
Town Clerk read the proposed law Local Law # 1 of 2018, titled “Providing for An Exemption for Cold War Veterans from Real Property Tax Pursuant to Real Property Tax Section 458-b

Town clerk announced that the entire board received a copy at last month’s board meeting thereby giving them 30 days to review. This was also posted in the Whitehall Times and on the Town website on 4/26/18.

Supervisor asked the public three times if there were any comments for or against this proposed law. There were no responses.

Public hearing was closed at 7:04 PM and opened the regularly scheduled meeting.

RESOLUTION # 37 Local Law # 1 of 2018 “Providing for an Exemption for Cold War Veterans”

Introduced by Supervisor John Rozell

Motion to pass the proposed Local Law # 1 of 2018 made by Councilperson Kingsley and seconded by Councilperson Dudley.

Roll Call Vote:

Supervisor John Rozell, aye

Councilperson Kingsley, aye

Councilperson Safka, aye
Councilperson Christopher Dudley Sr., aye
Adopted

Local Law will be filed with the State, Washington County Real Property Office, Assessor Bruce Caza, with the minutes and in the Resolution Book.

Motion to approve minutes from April 18, 2018 meeting made by Councilperson Safka and seconded by Councilperson Kingsley.

ADOPTED **Ayes 4 Rozell, Safka, Kingsley, Dudley**
 Nays 0

Heritage Report- verbal report Carol Greenough

- Whitehall Volunteer Fire Building now on State and National Historic Registry Site.
- Receives once a month a listing from NYS on grants that are available, but Town doesn't qualify for a lot of them.
- Festival 6th & 7th of July, have confirmation on chicken BBQ, rides, games, fire-works.
- Museum opening in late June due to repairs needed to the roof.

Rec. Report-written report by Julie Eagan

- Need more employees at Rec. Center, new employees will need background checks done per attorney. Julie Eagan will have checks done through police department. Julie stated that the permanent workers are trained in CPR/AED and the part-time workers will always be with a person trained in CPR/AED. Workers should be at least 18 years in age.
- Lee Gosselin has submitted the bill for the fencing strips the Board agreed on paying for half the cost last month. It is in for payment. That will be charged to rec. account.
- Keith Pratt will continue to mow the rec. fields until we hear different from Julie Eagan.
- Councilperson Safka wants to do some kind of safety plan at Rec. Center. Julie Eagan will speak to police chief.
- Councilperson Kingsley would like an inside slide bolt put on door so they can lock it from inside. Can the cameras be moved so they are out front so they can be watched by workers? Julie Eagan stated there is an internal fire alarm and panic button.
- No schedule for summer program set up yet.
- Primary Election on June 26th this year. Rec. building will have to be closed on June 25th for delivery of voting machine, 26th day of voting and June 27th till noon until the machine is picked up. WIC will have to be moved to Senior side for day of voting. Town clerk has made contact with Judy Baker and the seniors are all right with this.

Motion to call Putorti's for food for election inspectors for June 26th made by Councilperson Safka and seconded by Councilperson Kingsley.

ADOPTED **Ayes 4 Rozell, Safka, Kingsley, Dudley**
 Nays 0

Dog Control Report- written report by Nancy Quell

- Still no contract back from her for 2018.
- Town clerk still having issues on where to house the dogs until DCO shows up. Dog attack on Champlain Avenue last week. Town clerk found out about several days later. Village police showed up, but Nancy Quell stated she was never notified. Board had no answers.

Compliance Officer Report- no report by Vernon Scribner

No applicants received for compliance or alternate to planning board positions.

-Complaint on County Route 11 from April 26th. Town clerk gave to Supervisor. Individual who called claims there are several trucks coming in and out of his neighbor's property.

Town Clerk Report -written report by Julie Millett

Court door glass was smashed in on Tuesday and Royal Glass was called to replace. Town supervisor was not available so town clerk called Louie Pratt. Highway workers boarded up the door until Royal Glass could fix it that day. Town clerk turned it into the insurance company and they will cover all, but the deductible. Town clerk would like to know who to call for the future when something like this happens. No responses from the Board.

Town Assessor Report- no report by Bruce Caza

Board received a letter from the town assessor which will be discussed in Executive Session.

Town Supervisor Report – written report by John Rozell

-He has spoken to Janet Kennedy from Lakes to Locks and some of the work that Jim Austin is doing over to the pavilion will be covered by Lakes to Locks.

Budget Officer Report & Transfers – written report & budget transfers by Joel Carpenter

RESOLUTION # 38 Budget Transfers

Motion to approve budget transfers made by Councilperson Safka and seconded by Councilperson Dudley Sr.

ADOPTED **Ayes 4 Rozell, Safka, Kingsley, Dudley**
 Nays 0

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

Planning Board Report- written report by Gregg Chappell

Attorney has mailed letter to Borrego regarding the decommissioning bonds.

Highway Report- verbal report by Louie

-Highway fuel report submitted to the Board.

-Docks are in and brush has been cut along the canal with the excavator.

-Started mowing the cemeteries with Keith Pratt.

-Snow reimbursement from the village, \$5,000 for snow removal on Broadway.

-Should be getting around \$4,000 from the school for salt reimbursement.

-Ordered two new doors for garage, will need a new roof within the next couple of years.

-Washington County Annual Mowing Contract. Copy will be filed with the minutes.

Motion to approve contract made by Councilperson Kingsley and seconded by Councilperson Dudley Sr.

ADOPTED **Ayes 4 Rozell, Safka, Kingsley, Dudley**
 Nays 0

-Blacktopped on Monday over \$100,000. Peckham will be sending a bill soon so would like the Board's permission to pay when it comes because Louie needs a copy of cancelled check again to send in to the State for CHIPS reimbursement.

Motion to pay Peckham's when we receive the bill made by Councilperson Dudley Sr. and seconded by Councilperson Kingsley.

ADOPTED **Ayes 4 Rozell, Safka, Kingsley, Dudley**
 Nays 0

-Permission to put 1983 backhoe on Auction International to see what we can get. The new excavator can now do the work fine. Hopefully we can get around \$5,000 for it.

Motion to put backhoe on Auction International made by Councilperson Safka and seconded by Councilperson Kingsley.

ADOPTED **Ayes 4 Rozell, Safka, Kingsley, Dudley**
 Nays 0

We can decline the bid if we want to.

-Filled out paperwork on a couple of grants. Washington County Soil and Water Rep. came up and there are a couple of grants through the Champlain Water Shed. One was for \$3600 for engineering planning project for where the water flows into Wood Creek. This would filter the water before it reaches the creek. Putnam has something like it due to wetlands and the county engineers worked on this one. I would like to go up and see it some - time and we could probably do it with the county engineer and save the \$3600.

Attorney would just make sure if the county engineer does it to get their stamp on it.

The other grant is for \$7100 awarded for culverts, rent of an excavator and basically anything you do for the project. Culvert is between Levi Cahan and Nick's Auction Barn on Buckley Road. Just beyond the solar panels. We need to replace culvert and turn the angle on it because it is washing out Levi's field. We would have to pay up front and get reimbursed. Might have to take money out of fund balance Highway Town Outside until we get reimbursed the \$7100 should cover the cost.

Motion for Highway Superintendent permission to sign the grant memorandum of agreement for \$7100 made by Councilperson Dudley Sr. and seconded by Councilperson Safka.

ADOPTED **Ayes 4 Rozell, Safka, Kingsley, Dudley**
 Nays 0

Motion to approve monthly reports made by Councilperson Dudley Sr. and seconded by Councilperson Kingsley.

ADOPTED **Ayes 4 Rozell, Safka, Kingsley, Dudley**
 Nays 0

Approval for Park Use for June 18th for Seniors.

Approval for Park Use for July 13 & 14 for Out of Box Worship.

Motion to approve dates made by Councilperson Safka and seconded by Councilperson Dudley.

ADOPTED **Ayes 4 Rozell, Safka, Kingsley, Dudley**
 Nays 0

Grievance Day will be May 23, 2018 from 4 – 8 PM.

Board of Assessment Review members Pat Kingsley and Amy Michaud have gone through their training to sit on the grievance board.

ABSTRACT # 5 of 2018 General Fund V#18-5/1-27 \$ 24,648.92

 Highway FundV#18-5/1-10 \$ 4,001.31

Motion made to approve the monthly vouchers by Councilperson Safka and seconded by Councilperson Kingsley.

ADOPTED **Ayes 4 Rozell, Safka, Kingsley, Dudley**
 Nays 0

Supervisor mentioned the letter from the fire company on the new cancer bill for volunteer fire companies in New York State. Attorney stated that the Village has to cover it and is getting a quote from insurance company.

Received a letter from Whitehall Volunteer Fire Company for donations if anyone wants to send a donation in themselves.

Councilperson Safka would like to set up a contribution box near the boaters since we now can ask for contributions to help for the free electricity and water they receive. Cost would be around \$175 to \$265 for box.

Motion at 8:40 PM to convene into Executive Session to discuss specific personnel performance issues made by Councilperson Dudley Sr. and seconded by Councilperson Kingsley.

ADOPTED **Ayes 4 Rozell, Safka, Kingsley, Dudley**
 Nays 0

Motion to reconvene into regular session at 8:41PM by Councilperson Dudley Sr. and seconded by Councilperson Kingsley.

ADOPTED **Ayes 4 Rozell, Safka, Kingsley, Dudley**
 Nays 0

Consideration of part-time court clerk position requested by Justice Putorti Jr.

Councilperson Kingsley wanted to know if the Village has agreed to a part-time court clerk.

Supervisor stated that the Village hasn't even brought it up at their meeting yet. Justice Robert Putorti is requesting four hours a week for town court.

Councilperson Kingsley stated that when Justice Putorti took the job, he knew he was taking on a lot more responsibility. Councilperson Kingsley believes he needs the help.

Councilperson Safka stated that she spoke to Julie Eagan and the requirements are a lot greater now than it used to be when she took the position of justice.

Attorney stated every court she goes to has a court clerk and they would have free training for the position.

Councilperson Dudley went down one night and visited Justice Putorti in court. He feels there is a lot of room for error there. He feels something bad could happen and the two justices don't get along and paperwork seems to be backing up.

Councilperson Safka stated she has heard nothing is getting done at this point.

Attorney thinks that eventually lay people will not be judges. She believes that having a clerk helps keep things filed in a timely manner.

Councilperson Safka stated that Jess Erickson, the one that is helping Justice Putorti right now, is saying that things are not getting done.

The cost this year June 1 – December 31, 2018 the cost would be around \$1380 and next year would be around \$2500.

Attorney stated that the Town has to create the position so they have say as to whether he can have one or not. If the Board agrees then Justice Putorti can decide who he wants to hire. Supervisor doesn't feel anything is going to change with this because the person will be there when the judge is in session. Will not be there the rest of the week to answer the phone or take fines.

Town Clerk told the Board that Justice Putorti told her that it would help greatly when court is in session because half the people just want to pay fines and the court clerk could take care of that while he does the rest.

Motion to create the position of part-time town court clerk and instruct the budget officer to add \$1380 to justice's wages line item in the budget and deduct from the justices contractual made by Councilperson Safka and seconded by Councilperson Kingsley.

ADOPTED **Ayes 4 Rozell, Safka, Kingsley, Dudley**
Nays 0

Councilperson Safka is confused. She stated that we have two justices and no one at this table feels that they are doing their jobs. These are elected positions so the Board really has no say in it. Councilperson Safka is very uncomfortable about it because she is hearing that nothing is being filed on time. Councilperson Safka wanted to know if an elected justice isn't doing his job is there anything we can do as a Board? Can there be a special audit of the justice's books?

Attorney is stunned on what she is hearing from everyone. There is something called standards and goals where you have to file things within a certain amount of time. She doesn't know why the Town hasn't been notified by New York State if this is happening.

Councilperson Kingsley feels that if they are not doing their jobs as justices the Town is headed for a lawsuit.

Attorney pointed out that if you only do four hours a week, that person will be at the sole discretion of the judge and the Board won't be able to dictate separate hours just to collect fines.

Motion to pay this part-time town court clerk position at a rate of \$11.50/hr. for four hours a week starting June 1, 2018 with eligibility to join the NYS Retirement System with no other benefits made by Councilperson Dudley Sr. and seconded by Councilperson Kingsley.

ADOPTED **Ayes 3 Safka, Kingsley, Dudley**
Nays 1 Rozell

Motion by the consent of the Town Justice Robert Putorti Jr, the Board is hereby appointing Jessika Erickson at a rate of \$11.50/hr. for four hours a week beginning June 1, 2108 with eligibility to join the NYS Retirement System with no other benefits made by Councilperson Kingsley and seconded by Councilperson Safka.

ADOPTED **Ayes 3 Rozell, Safka, Kingsley**
Abstain 1 Dudley

Motion to convene into Executive Session at 9:10 PM to discuss specific personnel performance issues made by Councilperson Dudley Sr. and seconded by Councilperson Kingsley.

ADOPTED **Ayes 4 Rozell, Safka, Kingsley, Dudley**
Nays 0

Motion made by Supervisor Rozell and seconded by Councilperson Kingsley to end Executive Session and reconvene into regular session.

ADOPTED Ayes 4 Rozell, Safka, Kingsley, Dudley
 Nays 0

Motion to increase attorney fees starting June 2018 to \$125.00 per hour and raise to \$150.00 per hour in June 2019 made by Councilperson Kingsley and seconded by Supervisor Rozell.

ADOPTED Ayes 4 Rozell, Safka, Kingsley, Dudley
 Nays 0

Motion to adjourn meeting made by Supervisor Rozell and seconded by Councilperson Kingsley.

ADOPTED Ayes 4 Rozell, Safka, Kingsley, Dudley
 Nays 0

Adjourned
Respectfully submitted,

Julie Millett
Town Clerk