

**TOWN OF WHITEHALL**  
**REGULAR MEETING @7PM**  
**57 SKENESBOROUGH DRIVE**

**AUGUST 15, 2018**

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

**ABSENT:** David Hollister-Councilperson

**OTHERS PRESENT:** Deputy Town Clerk, Patti Gordon; Town Attorney, Erika Sellar-Ryan; Whitehall Times Reporter, Matt Saari; Heritage Director, Carol Greenough; Compliance Officer, Martin Rocque; Richard Buske DOS; George Armstrong, Adam Stevens, Dick McMore, John A. Millet Jr., John W. Stevens, William Ritchie Jr.

Meeting called to order by Supervisor John Rozell with Pledge to Flag at 7PM.  
Prayer given by George Armstrong.

Richard Buske from NYS Department of State, Division of Cemeteries to discuss the financial current situation of the Sciota Road Cemetery. Basically, by the end of the year for the cemetery will be all out of general funds which pays for the mowing. There is a permanent maintenance fund as well but must maintain a certain amount in it all times. They are looking into purchasing additional land which make it possible to sell more lots to generate funding, but it may not be feasible due to amount the land owner is asking and the time it will take to sell the plots. Also, when Mr. George Armstrong spoke with the Land owner, who are Amish Farmers, they stipulated no chemicals would be used on the land because they are an Organic Farms. They are hoping the town could help in purchasing the land in order to avoid abandonment of the cemetery or put money in our next year(s) budget to help pay for the mowing. Two ways of abandonment: lack of money or lack of trustees, in which the town would have to take over. The law that states this is General Municipal Law 165A. Attorney Sellers-Ryan advised that we would have to abide by the procurement policy and bid out the mowing. Councilperson Dudley questioned whether we were obligated to abide by the agreement with the Amish about not using pesticides due to the fact that they were organic farmers. Mr. Armstrong, who is the current President for the Sciota Cemetery does not have a copy of the document he signed pertaining to the pesticides. There is a Field Examination & Trust Fund Verification Report attached.

**Public Comments**

Several residents including John Millett Jr., John Stevens, William Ritchie Jr., and Dick McMore voiced their opinions concerning the work that has been done and is currently being done by Spectrum to install broadband service to rural areas. They are upset that Spectrum has not contacted any home owners, or the town for that matter, prior to doing any of the work and feel they have caused damage to several properties. The people doing the work are just subcontractors for Spectrum and are doing what they are order to do and when questioned who gave them permission they replied The Town of Whitehall. The residents feel they should have been made aware of the work from Spectrum as a courtesy and the Town and given opportunity for alternative placing of the poles. Another resident, Kristal Crandall who resides on Carlton Road, submitted a letter to the Town on August 5, 2018 with photos of the work being done on her property and the damage done by the subcontractors. They urged the Town to contact the Spectrum to speak to a representative. The Town of Whitehall has a franchise agreement in place with Time Warner since 2000 that gave them a Right of Way. In 2012, a new franchise agreement was accepted and approved by the Town Board that follows the previous the agreement which gives them the right to use the Right of Way. Attorney Erika Sellars-Ryan explained that even though it doesn't state in their deed pertaining to the right of way but it should be in the chain of Title. Supervisor Rozell said every town in Washington County is going through the same thing. Supervisor Rozell stated he has already spoke to a Representative from Spectrum and is looking into what can be done. In the future, Supervisor Rozell would like to make it necessary for anyone doing any type of work within the Town be required to fill out permits and make it mandatory they contact property owners before starting such work. Councilperson Kingsley stated we should contact Elisa Stefanik .

**Motion** to approve minutes from August 15, 2018 meeting made by Councilperson Kingsley and seconded by Councilperson Safka.

**ADOPTED**                      **AYES 4 Rozell, Dudley, Safka, Kingsley**  
**NAYS 0**

**Heritage Report-** written report Carol Greenough

- Visitors have been sporadic. Many have been looking for the Sasquatch Models.
- The Elementary Summer School students & teachers visited the Museum this week, 20 in all.
- Adult visitors have come from allover the World and enjoyed the unique displays.

**Rec. Report** – No report by Julie Eagan

**Dog Control Report-** No report by Nancy Quell

- Still no contract back from her for 2018. She is supposed to be providing paperwork regarding her LLC to town attorney Erika Sellers-Ryan for review but, as of 6/20/2018 she has not received such paperwork.
- Supervisor Rozell spoke with Nancy on August 15, 2018 concerning a dog she collected on Vaughn Street. The dog was flea infested and starving. She was taking it to the vet for the necessary treatment(s) and possibly to be euthanized. She will be submitting a bill to the town for such services. She was given permission to do whatever was necessary.

**Compliance Officer Report**- verbal report by Martin Rocque

- Followed up with owners of Kitty's Collectibles. Have cleaned up some more but it is still in disarray. There are several old cars on property. The owner asked if the town could assist in removing them and was told no. She appears to be living on the property without basic necessities. The Compliance Officer will be contacting Eric Sumner at the county level to come out and do an inspection of the property.
- There was also a complaint on August 15, 2018 on property located at 2750 County Route 12 because the grass being too high, I went by and spoke with the owner and he said he would take care of it.

**Town Clerk Report** -written report by Julie Millett

The Town has received several calls from residents pertaining to Spectrum and the installation of the cables and poles on their property without any prior notification and damages to their property as well.

**Town Assessor Report**- no report by Bruce Caza

**Town Supervisors Report** – written by John Rozell

- I received and a letter from an attorney regarding Spectrum and a landowner and forwarded it to our Town Attorney Ericka Sellers-Ryan for review.
- The Town has received several complaints from land owners regarding Spectrum and the installation of the high-speed internet.
- I would like to thank the American Legion for the \$750.00 donation toward the Summer Rec Lunch Program.
- The Town has collected \$196.00 in contributions from the boaters so far this year. I would like to congratulate Jason Ashline on becoming and Eagle Scout.
- The Fire Department installed a new 220 amp bus 30 amp breaker for the compressor.
- I Would like to create a committee for Fire Company Negotiations and would like to ask Councilperson Kingsley and Councilperson Dudley, both agreed.
- I would like to congratulate the Fire Company on a great turn out this for the Jr. Fire Company Program. There were over 20 kids and young adults that participated.
- Myself and Deputy Clerk Gordon attended a seminar at the country 8/15/2018 on records management. Would like to board to consider applying for a grant to participate in the shared services. Information is available for review on these services.

**RESOLUTION # 41 Budget Transfers**

**Motion** to pass budget transfers made by Councilperson Safka and seconded by Councilperson Kingsley.

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

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

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

**Planning Board Report**- written report by Gregg Chappell

**Highway Report**- written report by Louis Pratt

**Motion** to approve monthly reports made by Councilperson Safka and seconded by Councilperson Kingsley.

**ADOPTED**                    **AYES 4** Rozell, Dudley, Safka, Kingsley  
**NAYS 0**

<b><u>ABSTRACT # 8</u> of 2018</b>	General Fund V#18-8/1-22	\$ 4,384.51
	Highway FundV#18-8/1-11	\$ 6,621.17

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

**ADOPTED**                    **AYES 4** Rozell, Dudley, Safka, Kingsley,  
**NAYS 0**

**Motion** to approve the use of Park for September 8 @ 1:00pm by Richelle Currier.

**ADOPTED**                    **AYES 4** Rozell, Dudley, Safka, Kingsley  
**NAYS 0**

Spoke with Mike Ayers regarding broadband that is currently being installed and other options like Hughes Net for a service provider.

Trailer park issues; the Town continues to receives complaints from the residents at the trailer park on Route 4, Supervisor Rozell did speak with the owner over the winter and will be contacting him again concerning these complaints.

The Town Board discussed pre-buying propane again this year from Lake Champlain Coal Co. at a discounted price. They agreed to do so.

**Motion** to go with option 1 to pre-buy propane in the amount of 1700 gallons @ \$1.47 a gallon for a total of \$2,499.00; the Town has a credit of \$409.79 which will make it a total cost of \$2089.21, made by Councilperson Dudley and Seconded by Councilperson Safka

**ADOPTED**                    **AYES 4** Rozell, Dudley, Safka, Kingsley  
**NAYS 0**

Supervisor Rozell met with Jaeger & Flynn to discuss retirement buyouts. Currently there is no set retirement after 65. People can get whatever rider they want to go with Medicare. The Town currently has three people participating at rates of 75%/50% at \$200.00 monthly. There

is information for the board to look over and decide how to proceed at a later date. Supervisor Rozell stated that the insurance company should be working for us and taking care of our employees and guiding them in the decision making and assisting them with insurance issues better.

I letter of Support for Janet Kennedy was submitted to apply for funding from NYSCA (New York State Council of the Art) earlier this month.

**Motion** to go into Executive Session and allow Compliance Officer Martin Rocque to attend by Councilperson Dudley and Seconded by Councilperson Safka.

**ADOPTED**                    **AYES 4 Rozell, Dudley, Safka, Kingsley**  
**NAYS 0**

**Motion** to come out of Executive Session made by Councilperson Kingsley and Seconded by Councilperson Safka.

**ADOPTED**                    **AYES 4 Rozell, Dudley, Safka, Kingsley**

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

**ADOPTED**                    **AYES 4 Rozell, Dudley, Safka, Kingsley,**  
**NAYS 0**

**Adjourned**

**Respectfully submitted,**

**Patti Gordon**  
**Deputy Town Clerk**