

**TOWN OF WHITEHALL
PUBLIC HEARING TO REPEAL LOCAL LAW ON SOLAR EXEMPTION
& REGULAR MEETING
57 SKENESBOROUGH DRIVE
WHITEHALL, NY 12887
7:00PM**

MAY 17, 2023

BOARD MEMBERS PRESENT: John Rozell, Supervisor
David Hollister, Councilperson
Christopher Dudley, Councilperson
Stephanie Safka, Councilperson
Timothy Kingsley, Councilperson

OTHERS PRESENT: Erika Seller-Ryan, Attorney; David Waters, Rec Committee; Nancy Steves, Ernest Steves,

Supervisor Rozell called the meeting to order at 7:00pm with the Pledge of Allegiance.

Supervisor Rozell opened the Public Hearing at 7:00pm on Opting Out of the Exemptions provided by Real Property Tax Law 487.

NOTE-*the “local law” repealing the opt out (1971), which was done in 2014 was located. While it was called a “local law” there is not local law filing, and did not come from legal – looks like just a resolution drafted by prior clerk – Town Attorney Erika Seller-Ryan*

Supervisor Rozell asked for comments for the Opting out of the tax exemptions provided by Real Property Tax Law 487. No Comments

Supervisor Rozell asked a second time for Comments:

Mr. Steves asked Supervisor Rozell how this would affect the taxes. Supervisor Rozell explained that it would be taxed like any other commercial business and that this will not stop new solar farms in the future. Sole Assessor Stone explained that current solar farms are under PILOTS, but with the exemption will now tax same as any commercial entity. Attorney Seller-Ryan also explained that when these solar companies come in now there is a company that many municipalities are using that does an arms-length appraisal of the project that has a very complicated matrix and beyond the scope of the Assessor. The Town’s will then use that information to determine the tax.

Supervisor Rozell asked for a third time for comments. No further comments.

Public Hearing was closed at 7:05pm

Supervisor Rozell open the Regular Town Board meeting at 7:05pm.

PUBLIC COMMENTS:

Mr. Steves just would like to know what is happening with the solar and wants to figure out his best option as far as his land. Supervisor Rozell explained it was between him and the solar company and it was again explained how the assessment works with an arms-length appraisal by the company that is hired.

MOTION to approve the monthly minutes from the April 19, 2023 Public Hearing and Regular Town Board meeting made by Councilperson Safka and Seconded by Councilperson Hollister

ADOPTED **AYES** **5 Rozell, Hollister, Dudley, Safka, Kingsley**
NAYS **0**

Town Recreation Report by Timothy Martindale – Written

-Supervisor Rozell read the Rec Report to the Board, Rec Leader Martindale was absent from the meeting.

Rec Leader Martindale questioned when the parking lot was going to get “lined” and when would the new chips for the playground would be here? Supervisor Rozell explained that he thought that the striping was being done by the Village w/the new machine they received through the grant from Glens Falls Hospital. He will look in to it as well as the chips for the playground.

-Dave Waters addressed the Town Board, he stated that “they” (Rec Booster Club) have the funds to put in the new basketball and pickleball courts. There is a contractor who will do it at his costs. Mr. Waters explained that they will need to fill the tennis court posts with blacktop and that they have the money to purchase new back boards. They will need Highway Superintendent Pratt to rip out the blacktop from the old basketball court to create a fourth ball field and would like to ask the Town Board’s permission to move forward with the project. Supervisor Rozell stated that the Town needs a waiver /indemnification for the company (Band of Brothers) that will surface it. The Board discussed the process of what needed to be done to complete the project and Mr. Waters stated that he will get the insurance information requested before the project begins.

MOTION made to move forward with the project to remove the four posts on the tennis courts and seal them made by Councilperson Dudley and Seconded by Councilperson Hollister.

ADOPTED **AYES** **5 Rozell, Hollister, Dudley, Safka, Kingsley**
NAYS **0**

Dave Waters also commented on the state of the floor in the recreation center. He feels it is a mess and it needs to be stripped. The head of maintenance at the Whitehall School has volunteered to bring down the floor stripper machine and clean the floor which would should take 3 or 4 hours at no cost to the Town. This will be done in June. We did get an estimate to do the floor from North Country Janitorial for \$2700.00.

-The concession stand project is on the back burner. It is currently not open so there is no revenue coming in. Councilperson Kingsley and Supervisor Rozell both stated that is part of the Youth League and the Town has nothing to do with it. “We” asked about getting the plumbing done from the “Village” to run the drainage from the concession stand to the parking lot. Supervisor Rozell explained he had looked in to it and it cannot be done. It has to drain directly into the sewer or the Town would have to put in a tank and have it pumped out. Mr. Waters also stated the committee is getting a lot of reviews about the bathrooms, they are outdated with one urinal w/o privacy and that parents will not let their children use them. Supervisor Rozell stated that we just put in a new handicapped toilet in the bathroom two weeks ago as well as other repairs The Senior side bathroom has also had work done. Mr. Waters also inquired about the dock/fishing pier that the Canal Corp owns he would like Councilperson Kingsley to look in to having the Canal Corp to possibly extend it and put up a chain link door with lock on it for the fishing club; Mr. Waters stated if the dock gets extended, he will be able to get free fishing gear for the “fishing club”. Supervisor Rozell again explained that that has nothing to do with the Town, it is a Canal Corp issue. Mr. Waters and the Town Board discussed staffing issues and lack of supervision at the rec center, Supervisor Rozell explained that he has already discussed the issues with Rec Leader Martindale and he is supposed to be hiring more staff. Mr. Water’s stated that he has also gone to the Village Board and asked for more of a police presence especially during large events as well as the Washington County Sheriff’s Department with dog patrol.

Town Dog Control Officer by Kathy Hall – No Report

Town Compliance Report by Martin Rocque – Still working on ongoing litigation. There are a couple other hot spots that need to be addressed, but waiting on current litigation to be concluded.

Attorney Seller-Ryan commented on the current litigation has been e-filed, they property owner will be served and the Town will wait for a response to the summons.

Town Clerk Report by Patti Gordon – Written

Town Assessors Report by Roberta Stone – Written

-Sole Assessor Stone requests to extend the reevaluation into 2024 due to issue at the State level. The state will work with Sole Assessor over the summer to complete the project for Spring of 2024.

Resolution # 35 of 2023: **Extension of Resolution #37 of 2022 Town-Wide Reassessment for the 2023 into 2024.**

MOTION made to accept Resolution # 35 of 2023 for the Extension of Resolution #37 of 2022 Town-Wide Reassessment for the year 2023 into 2024 made by Councilperson Hollister and Seconded by Councilperson Dudley.

ADOPTED **AYES** 5 **Rozell, Hollister, Dudley, Safka, Kingsley**
 NAYS 0

Town Supervisors Report by John Rozell – Verbal

-Rozell Way bridge (Gray Lane) is being replaced through Washington County. The County was awarded the Marchiselli Grant, it had been declined two times previously. Construction will take place in 2025. The grant will pay 80% of the cost of the and the County will pay the other 20%. The total cost is between 1.5 million to 2 million.

-IDA/County are all ok with the property in Fort Edward.

Town Budget Officer Report and Transfers by Joel Carpenter – Written

Resolution # 36 of 2023 Budget Transfer

MOTION to approve Resolution #36 of 2023 Budget Transfer made by Supervisor Rozell and Seconded by Councilperson Dudley.

ADOPTED **AYES** 5 **Rozell, Hollister, Dudley, Safka, Kingsley**
 NAYS 0

Town Planning Board Report by Gregg Chappell – Written

Town Highway Report by Louis D. Pratt II – Written

MOTION made to make a one-time longevity payment of \$ 1,000.00 each for the two full-time highway workers for service during the year 2022 made by Councilperson Hollister and Seconded by Councilperson Hollister.

ADOPTED **AYES** 5 **Rozell, Hollister, Dudley, Safka, Kingsley**
 NAYS 0

MOTION to approve the monthly reports made by Councilperson Hollister and Seconded by Councilperson Safka,

ADOPTED **AYES** 5 **Rozell, Hollister, Dudley, Safka, Kingsley**
 NAYS 4

BUSINESS TO DISCUSS:

Park Requests:

Heather Rathbun on 5/28/2023 for a baby shower

Whitehall Volunteer Fire Company on 8/7 thru 8/11 for Whitehall Jr. Fire Academy.

MOTION to approve park requests made by Supervisor Rozell and Seconded by Councilperson Dudley.

ADOPTED **AYES** 5 **Rozell, Hollister, Dudley, Safka, Kingsley**
 NAYS 0

INCOMING CORRESPONDENCE:

The Town received a thank you note from the Family of Carol Greenough.

ABSTRACT #5 OF 2023

General Fund V/#1-26 \$34,262.30

Highway Fund V/#1-12 \$17,262.32

MOTION to approve the monthly vouchers and Abstract #2 of 2023 made by Councilperson Hollister and Seconded by Councilperson Safka.

ADOPTED **AYES** 5 **Rozell, Hollister, Dudley, Safka, Kingsley**
NAYS 0

MOTION to go into Executive Session for contract negotiations made by Councilperson Safka and Seconded by Councilperson Kingsley.

ADOPTED **AYES** 5 **Rozell, Hollister, Dudley, Safka, Kingsley**
NAYS 0

Regular meeting was resumed at 8:10.

The Town Board has come to agreement with the Historical Society for their yearly contract.

MOTION made to accept the Historical Society contract made by Councilperson Hollister and Seconded by Councilperson Safka.

ADOPTED **AYES** 5 **Rozell, Hollister, Dudley, Safka, Kingsley**
NAYS 0

MOTION to adjourn the monthly Town Board meeting at 8:10pm made by Councilperson Safka and Seconded by Councilperson Hollister,

ADOPTED **AYES** 5 **Rozell, Hollister, Dudley, Safka, Kingsley**
NAYS 0

Adjourned
Respectfully Submitted

Patti Gordon
Town Clerk