

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

June 15, 2016

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

OTHERS PRESENT: Town Clerk, Julie Millett; Town Highway Superintendent, Louis D. Pratt II; Heritage Director, Carol Greenough; Whitehall Times Reporter, Dan King; Town Attorney, Erika Sellar-Ryan; John Millett Jr.; Howie & Sandra Osborne, David Waters, Attorney Harold Nicholson, Bruce Kastor, Peter Terry, Joe Pinkowski, Rec. Leader, Julie Eagan and Amy Michaud. Sign in sheet will be filed with the minutes.

Public hearing on the proposed Local Law # 1 entitled “A Local Law Moratorium On Solar Energy Systems” was opened up for discussion by the Supervisor. Notice of public hearing was posted in the Whitehall Times on June 2, 2016 and on the Town signboard and Town website on May 19, 2016.

Town Attorney, Erika Sellar-Ryan will now speak and say what should and shouldn't be discussed during the public hearing. She stated that the discussion of the moratorium should have nothing to do with the tax implications that people have been discussing. The moratorium for six months would prevent any new solar projects from being approved that are in the Town. We have excluded three that were already underway and will not be impacted; John Millett Jr. at 3400 County Route 21, Joe Terry at Greenmount Cemetery Lane & Levi Cahan at 218 Buckley Road.

Howie Osborne questioned whether his solar project would be affected by this moratorium. Erika stated that some projects are vested already because they have submitted an application and have expended enough resources and time and money so the Town Board decided that this moratorium shall not impact the three projects that were already under review by the Planning Board as of the date of this law's passage.

Supervisor opened it up to the public for comment.

David Waters would like to address the Board. He needs clarification on the taxes even though we are not supposed to be discussing them at this time. We should be able to do what we want with our land until it affects somebody else. People have come to him and they want to know if the three that are allowed, how those three are going to affect other tax payers.

Erika stated that is the exact thing we were not going to talk about. After the Board closes the public hearing and opens up the regular meeting is when that can be discussed. The moratorium is only for land use and to regulate land use. How it looks, where it can be placed on your property, can it go in residential areas, etc. A moratorium would put a freeze on this and a committee would get together and decide and make up rules, but be clear taxes would have nothing to do with it. The Board's vote on the moratorium should not have anything to do with any tax implications.

David Waters feels that if the Board allowed these three projects than Howie's project should also be allowed.

Howie Osborne is concerned on how a moratorium would affect his project.

Erika stated that when the Planning Board meets next week the tax implications should have no bearing on the two projects before them. The Town Board should decide on that. If the Board passed the moratorium tonight what would happen is for the next six months anyone who is interested on sitting on a committee would get together and they would look at regulations and decide where the solar arrays could take place. The committee would make recommendations to the Board to pass whatever regulations and they would have no impact on taxes for you, for the solar people or anyone. Councilperson Rozell stated this is a land use regulation and that is all that they are doing. New York State has put the exemption in place and it is an automatic exemption.

Councilperson Rozell does not want to stop Mr. Osborne from putting in a solar farm, but he wants us to get more educated about this. This is not stopping anybody as far as he is concerned. Supervisor thinks there is a deadline on the incentives the state is giving and must be energized by the end of 2017 so it could affect future ones.

Harold Nicholson wanted to ask if we should have zoning. He thinks if we pass this moratorium we will stopping expansion within the Town. If we put a moratorium in for six months it is going to kill some of these projects. He pointed out that the projects have benefited others besides the land owners as was discussed last month. Do we really want to be that Town that puts restrictions on what people can do to their property? If we don't want to put restrictions on than vote down the moratorium.

Councilperson Saka stated that Mr. Nicholson is putting words in our mouths because we don't want zoning and she doesn't appreciate his implications. The man from Borrego stated that National Grid will be at their max after the three projects are done so where does this fourth project even come in. We were told that National Grid would be maxed out on these three projects and there is no more room so the six-month moratorium on their explanation doesn't change anything.

Howie's project will be a two-year process and if Niagara Mohawk says they can't do it they can't do it, but he doesn't want the Board telling him what he can do with his land that he has paid the taxes for years on it. Supervisor stated that the Planning Board is not aware of what you are doing. Howie stated that the Town has laws on the books now that are not even being enforced. Look at all the junk vehicles that nobody has done anything about. Howie wasn't aware he had to go to the Planning Board with his project. He was told by this company that he signed with two months ago that it would take two years to process and all of a sudden we can't have a solar farm. Howie wants to know what other municipalities are doing. Supervisor stated right now they are instituting moratoriums. Salem, Easton & Greenwich are all doing it.

Councilperson Safka went online after the last meeting to try to find out information. She loves the idea of solar power, but at the same time it is a very new concept. She would like to do more research first. She couldn't find online one similar use in New York State. There were no private land solar projects like the Millett's. John Millett Jr. stated that if you put one of these on a municipality's property there are no implications on that. She thinks it is very important to take a step back and look at it. Harold Nicholson's brother-in-law works for Apex Solar and they have put solar farms in Warren County on private land. He will give Stephanie his number and she can call him and ask some questions. Borrego approached her & Nick on doing solar and said they would give them \$20,000 a year. When she looked at the contract she as the landowner didn't get squat. Everything was for Borrego. These contracts may not be so beneficial for the landowner.

John Millett Jr. read an article from the Post Star on June 2, 2016 on an award that Gore Mountain received for overall environmental excellence. Copy of article will be filed with the minutes.

Bruce Kastor would like to speak at this time. He is here to speak out strongly against the moratorium on solar energy projects. It is a bad idea because a six-month moratorium will end any opportunity for land owners to have an attractive project because federal tax benefits expire December 31st. The projects in Whitehall will not be competitive if this moratorium is passed. The solar projects are not going to do business in Whitehall if they can't receive the federal tax credits. That will be a severe detriment to Whitehall property owners. He also is against the proposal because solar energy projects are good for the environment. Solar energy is the cleanest energy along with wind energy. He thinks the Town Board should be supporting clean energy projects and not delaying or preventing them. He heard the request at the beginning that we should not talk about tax issues, but since the door has been opened he

would like to talk about it. He thinks the reason this moratorium is being proposed now is people are saying it will have adverse real property tax effects. He pointed out that it is the residents that pay real property taxes not the Town and nearly every other exemption in the New York State of the property tax law affects how much of the County tax the Town residents pay. There is the Ag. Exemption, Forest Land Exemption and a bunch more of exemptions. The only few that don't matter too much are the fixed dollar exemptions. These would be the Veteran's Exemption, Low Income Exemption and there is another one. Farmers get Ag. Exemptions, people with woodlands get Forest Exemptions and if a property owner has a solar system installed the added value of the system is currently exempt. All the towns in Washington County are exempt except Kingsbury. Also exempt are all the villages and school districts in the County except four villages and five school districts and the County itself exempts it. He thinks the Town's concern is the other tax payers in the Town are going to see their real property taxes go up because of this increased value of these solar energy systems that are getting installed. That is not a state of reason or justification of having a moratorium, but it may be affecting members of the board in their decision. They should be aware that he has done a lot of research on this. Supervisor wanted to point out that Bruce is a tax attorney for the state. Bruce stated that he is retired now. Bruce pays a lot of taxes in Whitehall. The idea is that other Whitehall town real property tax payer's taxes are going to go up because of the existence of these solar arrays. Supervisor cut Bruce off and told him that we could have that discussion at the end of this public hearing. Supervisor stated that Bruce is making valid points, but it is not the right place. Supervisor wants to talk about what the moratorium is designed to do and whether the citizens think we should have it or not. Bruce also has concerns on how the moratorium was drafted. The first point is the moratorium reports to make an exemption for what he thinks is intended to be for residential property owners. It says that it is going to exempt rooftop solar, but you should be aware that some residential have the solar panels on the ground. He thinks that the wording should be changed to rooftops or ground based panels which generate electricity for the property owners own use. He also stated right now under current law there is no requirement at all for anybody to do a project on their own residence. He doesn't need to get a site plan review right here in Whitehall to put one of these in for residential purposes on my property just a County building permit. He doesn't think the Board should be interfering with that.

In Section 2-E the proposed law states solar energy system shall mean any permit or approval of a solar energy system including, but without limitation, any approval of a subdivision, site plan, special permit, variance or building permit application proposing construction or installation of a solar energy system. He doesn't think it should apply to building permits that people are getting for putting their own things on their own property if the electricity is being generated primarily for their own use. Erika feels that if you change the first recommendation that Bruce had that would make sense.

Bruce also pointed out in Section 3-A in the second sentence that the applicant cannot make any reasonable use of its property by development of any uses permitted in relevant to zoning district. We have no zoning districts in Whitehall so he feels that the phrase should be removed. Also in Section 3-B it says in the event a limited relief from the moratorium is granted by the

Town Board. This will leave the Board open to charges of being arbitrary. It says the applicant may proceed to other Town Board(s), officers and employees required or necessary to apply to a solar system approval(s). He wants to know what the Board means by that phrase. Erika stated that she used an example of one that had been proposed by the Dept. of State.

Mr. Kastor thinks the way it is written now could be challenged. He wanted to know if there is some argument that the Town Board has now that those other three projects would still have to come before them after they already approved them. He wants to know what are the instances when the Town Board thinks there might be limited relief from the moratorium. Erika stated that it would be up to that person that wanted limited relief from the moratorium. Bruce questioned this again stating if the Board makes the decision to grant the limited relief what would the standards be for the approval of that application. Bruce thinks that you are going to be in deep water if you leave the wording like that and someone wants to go forward and do something about that.

John Millett Jr. just wanted to point out after 15 years of the exemption the solar company will be paying a lot of taxes.

Bruce Kastor stated the NYS Real Property Tax Law Section 487 only allows an exemption from real property taxes for fifteen years after that they will pay. Supervisor is concerned that after the fifteen years the exemption could be granted again. Right now Whitehall opts out because they do provide the Real Property Exemption from real property taxes. If Whitehall were to grant a project now after the moratorium that exemption from real property is only good for fifteen years, then it will become taxable. It would not be exempt from the fire district.

Amy Michaud is here with concerns on the project near her house. She has a junkyard on the corner of Cemetery Lane and now they are talking about a solar field. She said everyone can do what they want with their property, but she has a business and she had to go through the Planning Board and everyone had to be contacted near her to let them know. She still hasn't heard anything about the solar going before the Planning Board. Her concern when it was brought to her attention is if they make noise. She has looked on line to see some places say they make noise; others say they don't. She has a son that has epilepsy and has vision impairment. His hearing is extra sensitive. She doesn't know if medically if he is going to be comfortable living across the street from one of these. Supervisor told her to go to the Planning Board meeting next week. She heard from a Planning Board member that meeting might not even be taking place because the County didn't have a quorum for their meeting.

Erika stated that if the projects met the deadline of when they were supposed to be in and the County didn't have a quorum that is the County's fault. The Whitehall Planning Board can still discuss the projects before them at their next meeting. Bruce Kastor suggested taking her son over to Fair Haven where they have some solar panels and let him listen to see if it seems to have an effect on him.

Joe Pinkowski wants to know if his land is going to be worth less with this next to his property. He wants to know if anyone has looked into that. Erika stated that could be discussed after voting on the Public Hearing.

Councilperson Safka would like to know what kind of impact these will have of the three that are going to be up and running. We will hear from all the neighbors if it seems to be a problem. That will give us some direction.

Councilperson Rozell wants answers to all these questions that everybody has by forming a committee and meeting with them. He talked to Borrego Representative at the last meeting and he said he will be willing to sit down and educate them on solar. He would like to be Chairman on the committee.

Bruce Kastor wanted to know how many of these projects are out there right now besides these few. It doesn't sound like there are that many right now. Supervisor heard about huge solar farms going in; one in the Village possibly on the Lane Farm and a huge one in the Town on Ryder Road. Bruce stated that if there only a few others in the pipeline and a moratorium is really going to kill any deal this year. Maybe start a moratorium in a few months to give people that have something in the works a chance.

Supervisor fears that in two months we will have even more people that want to do it. Bruce suggested maybe waiting until September and then do a moratorium because nobody will start close to winter.

John Millett Jr. asked that the Board should contact National Grid and see if they are going to be maxed out. Councilperson Prefontaine stated that is what we were told at the last meeting by you people. Councilperson Safka claims she has been contacted by several solar companies trying to use their land. She stated greedy companies are coming in not suggesting that Borrego is a greedy company. She claims that twenty different companies have contacted her.

Supervisor asked at this time if anyone else had any comments.

Councilperson Hollister would like to speak at this time. In Howie's case he is three months in to a two-year project before they can do anything. If we put this moratorium in and it kills his project he doesn't like the idea of that. It will be two years before Howie can do anything. He thinks we can get our ducks in a row before then without a moratorium. Councilperson Prefontaine concern is that how many more are going to come forward. Supervisor wanted to know if Howie had a signed contract. Howie stated that he does have a signed contract. Supervisor wanted to point out that the Board didn't know anything about his project.

Erika thinks what is happening is that it is a bit of a betting game. She thinks that companies are mass mailing people to get it out before the next solar company. She thinks a lot of these projects are where the solar company is paying \$250 to the land owner and nothing is really ever going to come from it. Howie doesn't have a problem with that if National Grid can't take it. He just wants the opportunity of his right to be able to do it.

Supervisor received a letter from Virgil Holcomb against the moratorium on the basis of doing what you want with your land if you own it. The letter will be filed with the minutes.

Councilperson Hollister believes we can get along without the moratorium.

Supervisor believes it is going to be a slippery slope because more people are going to be coming forward. David Waters believes for information purposes only look at Cornell University for answers. They are on top of this whole project.

At this time the Supervisor would like to close the Public Hearing at 8:05 PM.

Regular Meeting was opened up at 8:06 PM.

Supervisor opened up regular meeting with Pledge of Allegiance to Flag and prayer.

Supervisor opened the meeting up to discussion for public comments.

Erika stated that any time that the Town Board has any action that could have any potential environmental impact the SEQR act has to be reviewed. She read the contents of the SEQR for the public. Erika has filled out Part 1 and Part 2 and will need to be signed by the Supervisor. This project will have no impact on the environment because we are just having a six- month moratorium which will stop any new solar projects from coming in.

Bruce Kastor would like to speak on that subject. He thinks that holding off on allowing solar systems is going to require that people use less green energy and to say that there is no adverse result is not true. If solar energy systems were created, then there would be less use of more polluting kinds of systems and therefore instituting the moratorium does create adverse environmental impact. Erika would argue that it is a six-month gap so it is not permanent therefore it is a small or moderate impact on the environment. Bruce Kastor suggested a three-month moratorium instead of six months.

So based on the information the Supervisor is hoping that the Board will check this box that based on the information that the proposed action will not have any significant environmental impact. He asked the Board if they were in agreement.

Supervisor would like every board member to make a comment before we vote on the proposed law.

Erika pointed out that when the Board votes we vote on any changes that have been made to the proposed law.

Councilperson Hollister is against the moratorium.

Councilperson Prefontaine stated we are getting there.

Supervisor Armstrong has mixed emotions on the moratorium. He has discussed the proposed solar project on the Lane Farm in the Village with the Whitehall Mayor and they are going ahead with theirs and that project is bigger than anything we are talking about here.

Councilperson Hollister has been on the Town Board a long time and it seems any time anything comes into this Town there is somebody on the Board to shoot it down. He stated that this Town doesn't like change and not in my back yard. This is very discouraging to someone that actually wants to do something.

Erika stated that in Section 3- A there is already a standard stating any applicant seeking relief from the moratorium is required to show by clear and convincing evidence, including credible dollars and cents proof, that the applicant cannot make any reasonable use of its property by development of any uses permitted in relevant zoning district. Bruce Kastor pointed out that in relevant zoning district should be removed. Erika pointed out this is the standard that New York State applies in all of its own land use planning standards and for the Town to create another standard will have to worry more on how you would apply it.

Supervisor Armstrong stated that he is definitely going to vote no because someone on this Town Board other than himself is going to lead this committee if the decision is made to go with the moratorium. He stated that he has plenty to do here and he does it by himself. Someone on this Board is going to take the lead if you pass the moratorium because it won't be him. Councilperson Rozell would like to Chair the committee and Councilperson Safka will do it with him. Amy Michaud stated that she would like to be on the committee. A notice will go in the Whitehall Times looking for people to sit on the committee.

Motion to vote on a Negative Declaration on the SEQR and therefore stating the law would have no negative environmental impact; this SEQR has been completed by the attorney and will be signed by the Supervisor and changes to the proposed moratorium law with the following:
Under Section 2-B Paragraph B. subsection (a) any reference to exempted roof top panels or ground based panels also include any solar panels used for personal use;
Under Section 3-A we would remove phrase in relevant zoning district;
Under Section 2-A change for a period from six (6) months to three (3) months made by Councilperson Prefontaine and seconded by Councilperson Safka.

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

Harold Nicholson wanted to know with all these changes does it have to go to the Washington County Planning Board again and vote on this next month. Erika does not agree with that statement. The changes that have been made are less restrictive than the original. Erika pointed out that the public notice was in the official newspaper of the Town on June 2, 2016 regarding the Public Hearing for today, the law rested with all of the Board by May 19, 2016 and the referral to Washington County Planning Board where they were given in a timely fashion because she filed it herself and it was received back last night and they voted that it is a

matter of local concern. Now the Board making a vote on it does not have to anything different that they normally do.

Motion by Councilperson Rozell to table this until next time and seconded by Councilperson Prefontaine. Councilperson Hollister stated that if we table for another month that would be like having a four-month moratorium for Howie. Councilperson Prefontaine stated that this is not the Board's fault. Councilperson Prefontaine stated that a lot of you people decided to go this route and put these things in.

Now Councilperson Rozell would like to withdraw his motion. Board voted three to two against postponing until next month.

Motion to vote on Local Law # 1 of 2016 entitled "Local Law Moratorium On Solar Energy Systems" including the changes made by Councilperson Rozell and seconded by Councilperson Safka.

Roll Call Vote was asked by Supervisor Armstrong and recorded as follows:

Councilperson Rozell, Aye

Councilperson Safka, Aye

Councilperson Prefontaine, Aye

Supervisor Armstrong, Nay

Councilperson Hollister, Nay

ADOPTED 3-2

Councilperson Rozell stated again that he will be Chair for the committee that will be formed. Bruce Kastor thanked the Board for listening to his comments.

Supervisor asked if there are any other public comments at this time.

Bruce Kastor would like to talk to the Board in length on the tax implications after the meeting. Supervisor spoke to Real Property we were talking about the Town's and County's total assessed value they pointed out that any significant change in any town can affect what their tax rate that they are going to pay to the County. Right now for 2016 Whitehall's share is a little over 4%. That % could increase, but you don't know what it is going to be because you don't know what will happen in other communities. This could have no tax implication. The total assessed value in the Town of Fort Edward went up 75 million dollars as a result of the improvements on GE. General Electric had an exemption in taxes on that, but the total assessed value that the County put on could mean that the rest of the towns would have to make up that 75 million. Now there is talk of a Walmart coming in in Greenwich and some other businesses. Town assessor will be reassessing all the properties in the Village and Town in the next two years. We really don't know what is going to happen.

Erika stated that if you go up 30 million and Greenwich gets a Walmart and there are other expansions and everyone proportionally goes up and this could have no impact on anyone. Right now there is no way of knowing what will happen. Councilperson Rozell pointed out that there are been a lot of figures thrown out there and no one seems to know yet how this will

affect us. Councilperson Safka wanted to know about payment in lieu of taxes and if the Board can ask for that and Erika stated that the Board could ask for that. Erika has not looked into it yet, but that is something to consider. It is usually a payment that would be agreed upon up front. It would be a payment made for a period of 15 years and could be renewed if the exemption is renewed. John Millett Jr. wanted to know why some Town employees are running around throwing out fictitious figures on the taxes. Supervisor stated that you can't stop people from saying what they want.

Joe Pinkowski would like to know what his land will be worth. Erika felt that would be a realtor question.

David Waters feels his property value will go down and the main thing for this Board to do is to protect the tax payers of Whitehall.

Bruce Kastor pointed out that in 15 years the solar company will be paying a lot of taxes after the exemption is lifted.

Amy Michaud commented that the solar farms are going up and we are not getting any benefits out of them.

Councilperson Rozell stated that he should have done some homework on this and he didn't. He stated that the County allows the exemption, but is still looking for money from the Town. Erika stated it depends on what really happens in the 17 municipalities in Washington County.

Harold Nicholson stated that Nature Conservancy assessed value is added on and the tax payers are making up for it. Erika stated that they make a payment in lieu of taxes to the Town, Village and School. At this time Supervisor continued with monthly meeting business.

Motion to accept the prior minutes of May 18, 2016 made by Councilperson Safka and seconded by Councilperson Prefontaine.

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

Heritage Report- written report by Carol Greenough

Rec. Report-written report by Julie Eagan

We received two sealed bids on the playground fence. We have received a counter proposal from Lowe's. They have offered to replace the fence at cost and we would have to pay for the materials and pay the installer. It would be less than \$10,000. They would also like to replace the floor by doing a community project for free. Supervisor and Mayor are working on a proposal for Betty Little to receive some grant money. If we don't get the grant money none of these projects will happen. Julie Eagan stated last year we set aside \$4,000 in the budget and Joel Carpenter rolled it over so they could use it this year. That was Julie's understanding. Supervisor will have to get clarification from the budget officer.

Dog Control Report-no report by Nancy Quell

Compliance Officer Report-no report by Vernon Scribner

Town Clerk Report -written report by Julie Millett

Town Assessor Report- no report by Bruce Caza, on vacation

Town Supervisor Report – written report by George Armstrong

Planning Board Report- written report by Gregg Chappell

Budget Officer Report – written report by Joel Carpenter

Town Highway Report- verbal report by Louis D. Pratt II

He has handed in his Highway Reports for the Board to review.

They had a DEC tank inspection and tanks passed inspections.

CHIPS allocated \$19,000 and still haven't heard anything from the state. They passed it, but never signed the bill.

All the Town fire extinguishers will be inspected next week.

No bids came in on the 1-ton truck after advertising in the paper so would like the Board's permission to put it on Auction International site. A guy will come up and take pictures and do all the paperwork for \$40.00

Motion to put truck on Auction International made by Councilperson Hollister and seconded by Councilperson Prefontaine.

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

All Written reports will be filed with the minutes.

The DMV mobile unit was here today and had around twenty people that they helped with registrations. They will be here once a month and a copy will be sent to the paper.

Ken Bartholomew and Supervisor met with Brian Brooks the other day and he would like to eliminate the Village Fire Company and set up a special district for the fire protection.

It would result in a fairer distribution of taxes. Right now the Town pays \$126,000 and the Village pays around \$50,000 for the fire in their budget. They don't have a separate line item on their tax bill. Supervisor copied the letter that Brian had drawn up for all the Board to review.

Resolution # 36 for Budget Transfers

Motion to approve budget transfers made by Councilperson Prefontaine and Councilperson Safka

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

Resolution to be filed with minutes and in Resolution Book.

Supervisor would like to speak on the Sciota Cemetery in Whitehall. It is a small cemetery crowded with stones and there is no more opportunity to sell anything so we are running out of money. We do have some stock and we pay an individual to mow it. We have about \$14,000 that has been set aside by the Cemetery Association that our association can't spend. It will eventually be turned over to the Town like the three other cemeteries that we do. If the Town takes over they can spend the money for maintenance. The Town can make applications to get this money after they take over. It will have to go out to bid because the Highway does three

cemeteries already and can't handle another one. We are mentioning it now because we will need to put more money in the budget for this expense.

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

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

Letter from Whitehall Elk's to use Rec. field for softball tournament on July 30 & July 31, 2016.

Motion to approve dates for use of field made by Councilperson Prefontaine and seconded by Councilperson Hollister.

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

Supervisor stated that the Whitehall Village passed a resolution for requiring a two- person train crew while operating in the Town of Whitehall.

Resolution # 37 in Support of Federal Railroad Administration Crew Size Rule and Ordinance requiring Two Person Train Crews while operating on the Town of Whitehall, NY

Motion to approve resolution made by Councilperson Rozell and seconded by Councilperson Prefontaine.

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

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

Supervisor would like to discuss the use of bouncy houses in the park. The Town does allow them at the festival. It is a big liability to allow them because if not fastened down they can blow away. Supervisor would like the Town Board to pass a resolution to not allow individuals to use our park with a bouncy house. Bruce Kastor suggested to have no bouncy houses unless they have \$2,000,000 liability insurance and make the Town the insured party.

Motion to only allow bouncy houses in the park if company has policy for \$2,000,000 coverage and the Town of Whitehall is named on the policy as insured made by Councilperson Safka and seconded by Councilperson Hollister.

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

Resolution #38 Mowing Contract Between the Town and Washington County

Motion to approve contract made by Councilperson Safka and seconded by Councilperson Hollister.

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

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

Monthly Vouchers for Abstract # 6 of 2016

General Fund V#16-6-1/29 \$10,900.60
Highway Fund V#16-6-1/15 \$ 45,242.91
B Fund V#16-6-1 \$ 10.00

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

ADOPTED

Ayes 5 Armstrong, Rozell, Safka, Prefontaine, Hollister

Nays 0

Elise Stefanik's representative will be at the Town Hall on July 7, 2016 to hear concerns by residents. Supervisor feels it would be nice if the Board would show up as well as others.

Councilperson Prefontaine would like to discuss the union contract with the guys. He would like to sit down and go over it. Supervisor would like to do it next meeting. Supervisor asked if the rest of the Board would like to go into Executive Session tonight to discuss the union contract. None of the Board wanted to go into Executive Session. Councilperson Prefontaine stated that he wanted to resign and told the Supervisor to handle it. Supervisor stated the rest of the Town Board are talking 1 or 2% at the most for raises. Supervisor stated that what has happened with this 70 cents in the increase in the minimum wage and now the highway crew wants the same increase. Councilperson Rozell stated that he is self-employed and doesn't have a union to back him. Supervisor will call the union president and update him.

Adjourned at 9:40 PM

Respectfully submitted,

**Julie Millett
Town Clerk**