

TOWN OF WHITEHALL
SPECIAL MEETING @ 10:00 AM
57 SKENESBOROUGH DRIVE

June 1, 2017

PRESENT: George Armstrong – Supervisor
Stephanie Safka – Councilperson
Timothy Kingsley-Councilperson
David Hollister-Councilperson
John Rozell-Councilperson

OTHERS PRESENT: Town Clerk, Julie Millett; Highway Superintendent, Louis D. Pratt II; Town Attorney, Erika Sellar-Ryan

Special meeting was posted in the Whitehall Times on May 25, 2017 and posted on Town Clerk signboard. Whitehall Times notified on May 22, 2017.

Supervisor started the meeting at 10 AM.

Erika Sellar-Ryan drew up the amendment to bargaining agreement between the Town of Whitehall and Teamsters Local 294, I.B.T., the union representing the Town of Whitehall Department of Public Works and it has been signed by all parties. The Town Supervisor, George Armstrong; Teamsters Local 294 Representative; Rocco Losavio; Union Rep., Robert Putorti Jr. and Town Clerk, Julie Millett. The Town Board met at a special meeting prior to today and agreed on this language. Language was changed to where the only option to be paid for sick time at retirement is if you use it to pay toward health insurance. There will be no cash value option anymore. This way it can be tax exempt if used for health insurance. The other change was to do with the HRA. The HRA would now be considered part of the premium.

Motion for Board to accept amendment in bargaining agreement drawn up by town attorney for time covering 1/1/2017-12/31/2020 between the Town of Whitehall and Teamsters Local 294, I.B.T. highway union contract made by Councilperson Hollister and seconded by Councilperson Safka.

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

Motion to approve agreement that was reached between Town and personnel made by Councilperson Safka and seconded by Councilperson Hollister.

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

Supervisor mentioned that the roof above the town office on the south end of municipal building is leaking again so Doran Roofing was called to come and look at it again. They looked at it last September and did some repairs.

Supervisor mentioned that the county would like a change in the way arraignments are done. We need to get the judges to approve and the village and town. He will get copies out to all board members and judges.

Louie would like to discuss Gray Lane situation while attorney is present. Greg Gross called Louie asking for paperwork the county had on the road measurements of Gray Lane. Erika stated that Greg Gross's attorney claims the town plows the road. Louie advised the Town Board that he hasn't plowed it in several years. Erika's advice to the town is to not take any action at this time.

NYSDOT sent Louie a shared service agreement to be signed again. We have done it annually in the past, but giving us the choice of one year, two years or four-year agreement. This is for state of emergency situations. If there is a disaster we will help each other out.

Motion to sign a four-year agreement made by Councilperson Kingsley and seconded by Councilperson Rozell.

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

Councilperson Safka would like attorney to look at the personnel policy that Steph got from Kingsbury to see if Whitehall could adopt something like it.

Attorney wanted to know about the junkyard violation notices. Vernon has sent out one, but just found out that the property has been sold so now we will have to send out new one to new owner. Councilperson Rozell stated that Vernon had talked to another one in violation the other day on Gray Lane/Upper Turnpike and Vernon was going to bring it to the Board to see if we could give him 90 days to clean it up. Councilperson Safka would like to raise the junkyard renewal and application fees. A renewal cost \$25.00 and application is \$100.00. Councilperson Kingsley would like to raise to \$75.00 renewal and \$250.00 for application. Attorney thinks the law the town currently has on junkyards is pretty strict. The Town doesn't have to accept the junkyard application until everything in the law is complete. Erika feels that it would be the town board not the planning board that would approve it. There is a lot they have to do before

they can be considered a junkyard. Erika stated that we will need to send out another notice certified to the new owner and start with 60 days' notice to clean it up with the new owner. The property owner on State Route 4 on the edge of town can also be sent a violation by Vernon if he is in violation of the junkyard law. Councilperson Safka would at least like to have some kind of fencing or trees put up along the property. Erika recommends sending out the violations and hopefully some will clean up. Erika stated that the town will have to amend the current law to change the fees and have a public hearing. The Town Board will issue the license. A long SEQR form takes hours to complete and one will have to be submitted with the application. Councilperson Safka would like to sit down with another board member and go over Kingsbury junkyard law and see if there is anything to add to ours. Erika stated that the town law is not a bad law to go by and is probably sufficient for the Town of Whitehall.

Motion to set up a public hearing for next meeting to amend Local Law # 2 of 1992 of Licensing and Regulations of Junkyards, Contents and Storage to increase application fees made by Councilperson Safka and seconded by Councilperson Hollister.

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

Councilperson Kingsley is concerned about grange building in town. Councilperson Rozell stated that New York State Grange owns that building. Supervisor will talk to Bruce Caza about getting it back on the tax roll if they are not holding meetings. Councilperson Rozell will get some paperwork on it.

Councilperson Kingsley wanted to know what is happening on the PILOTS with the solar. Supervisor stated that the solar company isn't even required to do a PILOT because the town didn't respond in a timely manner. Board should talk to assessor on Monday or Tuesday for an update.

Erika stated at the other meeting, the assessor talked about 90% of the solar project is entitled to the exemption. The solar company wanted 96% because they feel the assessor is applying it wrong. The current assessor can agree on 96%, but if we get a different assessor that % could change in the future so in order to secure a stable payment that the solar company can rely on, they are willing to do a PILOT. That way the solar company will know what it will be for 15 years.

Councilperson Rozell wants to know if we have any figures. Erika pointed out that you are taking a property that was being coded as vacant land and is now being coded as commercial so you are already getting a lot more taxes. If the assessor is wrong and three years from now if you have a different assessor and that new assessor decides to apply it correctly, that is why the solar company wants the PILOT so they know it will be a set amount. Erika stated that right now they don't have any numbers.

Councilperson Safka thought the PILOT they were discussing was on the next two projects. She would like to do those two first that we are entitled to and let that stand on its own. Erika stated that we can't because those projects aren't done and we have no figures on those yet.

Supervisor stated that he and Tim met with Syncarpha and assessor the other day and they brought in another lawyer and this lawyer was as sharp as a tack. He wrote one of the books the assessor was going by in his office. Erika thinks Syncarpha is calculating it right and Bruce doesn't feel that way. Supervisor feels the life of this project is 25 years and the PILOT is 15

years so the last 10 years that the solar company would have to pay full taxes. Supervisor wants to know at the end of the 15 years what can the town and solar company do? Erika's thoughts that by the end of the 15 years this will all be changed. She suggests entering in to another 15 years.

Councilperson Kingsley feels that after talking to Bruce and Syncarpha, they will be getting 100% exemption. Supervisor suggested that John Rozell stop in on Monday or Tuesday to chat with the assessor on this. Councilperson Kingsley stated that the lawyer was very knowledgeable and spoke in a way they could understand the exemption.

Erika stated that with 100% exemption they don't have to sign a PILOT with the town. Erika feels anything they offer the board should take. They offering anything is being a good neighbor.

Supervisor stated that if we end up with more money than we were getting and land owners are making money and we are doing renewable energy, it is a win- win situation. Erika pointed out that how it got started by the county over a year ago on how everyone's taxes were going up was just hogwash. Councilperson Hollister stated that our federal dollars paid for a lot of that project. Everyone went along with the exemption at first and now the county has changed their mind. Even if we get zero dollars for the PILOT, we are still making money. They are going to pay 100% of their fire tax which is a large tax in this town and paying as a commercial property now. He feels in 15 years the depreciation on these things will be high and they will have to be reassessed.

Motion to adjourn meeting at 11:30 AM made by Councilperson Kingsley and seconded by Councilperson Safka.

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

Adjourned @ 11:30 AM

Respectfully submitted,

Julie Millett
Town Clerk