**TOWN OF WHITEHALL**

**REGULAR MEETING**

**57 SKENESBOROUGH DRIVE**

**May 15, 2019**

 **BOARD MEMBERS PRESENT:** John Rozell – Supervisor

 David Hollister – Councilperson

Christopher Dudley Sr.-Councilperson

Stephanie Safka – Councilperson

 Timothy Kingsley-Councilperson

**OTHERS PRESENT:** Town Clerk, Patti Gordon; Town Attorney, Erika Sellar-Ryan; Whitehall Times Reporter, Matt Saari; Highway Superintendent, Louis D. Pratt II.; Rec Leader, Julie Eagan; Compliance Officer, Martin Rocque; Joe Pinkowski

Supervisor led the meeting at 7pm with Pledge to the Flag.

**PUBLIC COMMENTS**: Mr. Pinkowski asked the Board if they had found out anything else pertaining the Solar company behind his property. He came to the Board several months back and apologized for not returning sooner. He was under the impression they were going to plant a row of tree between his house and the solar panels to act as a sound barrier. As of now, there is only a white fence and no trees. He was wondering if it was actually written in the contract to plant the trees. Supervisor Rozell said he had looked into previously, but he will look into it again and make contact with Gregg Chappell before the next Board Meeting. Attorney Erika Sellers-Ryan said the Planning Board should have had it as a condition for approval to plant trees as well as the fence in order to enforce it.

**Motion** to approve minutes from April 17, 2019 meeting made by Councilperson Safka and seconded by Councilperson Kingsley**.**

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

 **NAY 0**

**Heritage Report**- no report by Carol Greenough

**Rec. Report** – Oral report by Julie Eagan

Baseball, softball, and T-ball are going on all three fields. The boy’s tournament will be the week of the 17th thru 21st which is the week before graduation. We will be closed Memorial Day Weekend, May 25th thru 27th for the last break before summer. We will also be closed on May 31st for mandatory training for the staff.

Summer schedule/programs will begin on July 8th, 2019.

Supervisor Rozell let the Rec Leader know that the Ti Paper Mill would like to have two more job fairs there the weeks of June 3 & July 1st. She said that was fine as long as its not a Wednesday or July 4th.

**Dog Control Report-** written report by Nancy Quell

**Compliance Officer Report -**byMartin Roque

Maurice Combs has not moved the trailer off Shawn Mulholland’s property as of yet. He said it will be done as soon as the ground dries out enough to get it. Miss Kitty she is up to 98 days since she has received certified mail. She can be fined up to $500.00 or Town Law thirty days. Mr. Rocque would like to know how the Board would like to proceed. The Town’s attorney said we will discuss it in Executive Session. At this time Supervisor Rozell informed the Board that our Code Enforcement Officer for the County Jim Buxton has resigned as well as Eric Somer. Steve Smith will now be taking over Whitehall area, but they are down to seven Code Enforcement Officers from nine.

**Town Clerk Report –** written by Patti Gordon

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

Bruce will be staying on for two more years.

**Town Supervisor Report-**written report submitted by John Rozell

Jim Buxton & Eric Somers Resigned from the County, Steve Smith will be taking over our area at this time. Our NYCLASS investment is already at $2235.99 YTD, the County is $158,692.01 YTD.

Discussed putting Sciota Cemetery out to bid for mowing for 2019.

**Motion** to put Sciota Cemetery out to bid for mowing made by Councilperson Kingsley and seconded by Councilperson Hollister.

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

 **NAYS 0**

**Budget Officer Report & Transfers–** by Joel Carpenter

**Resolution # 39 Budget Transfers**

**Motion** to pass budget transfer for State Grant/lighting upgrade and copier made by Councilperson Hollister and seconded by Council Safka.

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

 **NAYS 0**

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

**Resolution #40 Budget Transfers**

**Motion** to pass budget transfer for CHIPS money made by Councilperson Dudley and seconded by Councilperson Hollister.

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

 **NAYS 0**

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

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

**Town Highway Report-** verbal report by Louie Pratt

-Washington County sent mowing contract for Boards approval. The unit price would be $269.50 per centerline mile of highway. In Whitehall which has approximately 27.02 miles of County Highways, this would amount to $728.89 for the season.

**Motion** to accept Washington County mowing contract made by Councilperson Hollister and seconded by Councilperson Dudley.

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

 **NAYS 0**

-Superintendent Pratt also received a letter from New York DOT for the annual work permit. This enable the Town to do work in the State right of ways like Beckwith Road or Buckley Road. Superintendent Pratt asked the Town Board for their approval for him to sign the Highway Work permit on May 15, 2019 at the board meeting.

**Motion** to approve Superintendent Pratt to sign the work permit and to accept the New York State annual highway work permit agreement made by Supervisor Rozell and seconded by Councilperson Dudley.

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

 **NAYS 0**

**Motion** to spend the Town Highway Funds and to amend to 284 agreement to $173,982.29 for 2019 made by Councilperson Hollister and seconded by Councilperson Dudley.

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

 **NAYS 0**

-Our new dump truck is in at Delurey’s. I would like to put the old 1999 tandem dump truck out to bid in June. I would like to put it in the local paper instead of Auction Internationals because I have some local people who are interested in it.

**Motion** to declare the old 1999 tandem dump truck as surplus property made by Councilperson Hollister and seconded by Supervisor Rozell.

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

 **NAYS 0**

**Motion** to advertise the old 1999 tandem dump trunk for sale in the Whitehall Times.

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

 **NAYS 0**

-I received a call from Washington County concerning marking the road on Gray Lane. There has been issue with a gate on the property. Mr. Gross wants the Town to come back and mark the road again. The town had to mark the road previously because they were unsure of the Town’s line on the property. Town attorney Erika Seller-Ryan said it not something the Town does, she said it is the owners’ responsibility to hire a surveyor to mark the lines; it’s a legal matter.

-Docks are in and currently working on the faucets.

-Truthville Road has been repaired from the recent storms.

Our repair budget for repairs and supplies is down 75% already.

-Supervisor Rozell commented that Fort Edward recently lost a couple trucks in a fire and they were only insured for $10,000. He explained, that is why they meet with the insurance company every year and to go over the insurance policy to make sure the Town has adequate coverage on all properties.

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

 **AYES 5 Rozell, Hollister, Dudley, Safka, Kingsley**

 **NAYS 0**

Written reports will be filed with the minutes**.**

**ABSTRACT # 5 of 2019** General Fund V#19-5 1/21 $4772.31

Highway FundV#19-5 1/12 $6977.99

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

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

 **NAYS 0**

**Motion** to approve the Historical Society to purchase a scanner.

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

 **NAYS 0**

**Motion** to share overnight expense of hotel at State rate, 50% per diem for food and 50% of mileage per our organization minutes with the Village of Whitehall for Mandatory Court Clerk Training for Jessika Erikson.

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

 **NAYS 0**

**Motion** to share the cost of a new air conditioning unit for the Senior Building with AA, the Town will purchase the unit and bill AA for their share made by Councilperson Kingsley and seconded by Councilperson Hollister.

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

 **NAYS 0**

Approval for Park Use for June 17,2019 for Seniors.

Approval for Park Use for June 19, 2019 WVNR Lakes Radio Program.

Approval for Park Use for June 23,2019 for Addiction Awareness.

**Motion** to approve dates made by Supervisor Rozell and Seconded by Councilperson Safka

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

 **NAYS 0**

-Attorney Erika Sellers-Ryan stated everyone who reserves the Park must have a certificate of liability insurance rider.

-The American Legion invited the Town Board to attend the Memorial Day Services on May 27th, 2019.

-Supervisor Rozell received notification from the Department of the Army, U.S. Army Corps of Engineers concerning a permit application for the dredging in Lake Champlain in Whitehall. There are not dates scheduled at this time.

-Troy and Banks Utility services; they audit your past utilities to look for overage charges. If they do not find anything, there is no cost. If they do find that we have been over charged they charge of a fee of 25% of the charges and we receive the difference. The Board was in agreement to have Supervisor Rozell contact them to discuss having them do an audit.

-Supervisor Rozell discussed developing a new Nuisance Property Law with the Board. Neither the Town or Village currently have a law in place. Councilperson Safka provided two examples of Nuisance Laws currently being used in other towns. After much discussion they decided neither would be adequate. Supervisor Rozell asked the board if they would like to have the attorney draw up a new Nuisance Property Law for Whitehall. The Attorney also suggested that if the board didn’t want to go that direction maybe they should hold a public forum and invite the village and the towns’ people to come together and ask them what they suggest and what other organizations could be serviced to help.

**Motion** to have the Town Attorney Erika Seller-Ryan draw up a new Nuisance Property Law for the Whitehall made by Councilperson Safka and Seconded by Councilperson Hollister.

**ADOPTED** **AYES 3 Rozell, Dudley, Safka**

 **NAYS 2 Hollister, Kingsley**

**Motion** to adjourn meeting at 9:15 PM made by Councilperson Hollister and seconded by Supervisor Rozell.