**TOWN OF WHITEHALL**

**REGULAR MEETING**

**57 SKENESBOROUGH DRIVE**

**June 19, 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.; Compliance Officer, Martin Rocque; George Armstrong, Joe Pinkowski, Everette Mattison, Vickie Mattison

Call to Order at 7pm

Supervisor led the meeting with Pledge to the Flag.

Supervisor Rozell congratulated the Whitehall Baseball Team for Winning the State Championship. He also congratulated the girls’ softball on their season and Miss Gould who won the MVP for girls’ softball in the Adirondack League.

**PUBLIC COMMENTS**: Mr. Everette stated they were here concerning the Budget Inn. They are concerned with the current occupants and the fact some of the rooms are being rented as apartments. Also, they do not understand, if there are registered sex offenders living there and working there, how are children staying there as well. Supervisor Rozell stated the Board is currently working on the issues. Mr. Everette has petitions with signatures that we wanted to present to the Town Board on behalf of the Town’s people. He was still waiting on petitions from Joe’s Pizza and Mr. Dudley’s. Supervisor Rozell suggested that they turn them all in at once and he would bring them to the County the following week to the Gov’t. operations meeting.

Mr. George Armstrong came to speak about the Sciota cemetery. There is an ad currently in the newspaper advertising the annual meeting of the Sciota Cemetery Association on June27th at 1 Park Ave. in Whitehall to discuss their finances. Councilperson Hollister said he would attend on behalf of the Town Board. Supervisor Rozell asked if there is a possibility that the Amish would be willing to sell a piece of property to the Cemetery and if there would be enough from the sale to help cover the costs. Mr. Armstrong stated that all that will be discussed at the meeting on the 27th.

**7:10pm Opening of the Mowing Bids for Sciota Cemetery**:

Only one bid was received from Ethan Davis Champlain Valley Lawn Care.

Bid Amount; $1,500.00.

**Motion** to accept mowing bid from Ethan Davis of Champlain Valley Lawn Care to mow Sciota Cemetery as per the specifications set by the Town of Whitehall made by Councilperson Kingsley and seconded by David Hollister.

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

**NAYS 0**

Supervisor Rozell wanted to mention that we have a new fabricated metal contribution box installed near the museum for the boaters. It was is very well made and secured into cement. It was fabricated and donated by Mike Briggs of Briggs Welding on Route 4 in Whitehall.

**7:15 Opening of Truck bids for 1999 Sterling Dump Truck:**

Three bids were received:

1. Marty & Bonnie Graves from Ryder Road Farms LLC for $6,500.00.
2. Andre Hagadorn for $5,255.00
3. Joe and Hillary Rozell for $5,120.00

**Motion** made to sell the 1999 Sterling Dump Truck in “As is” condition to the highest bidder, Marty & Bonnie Graves for $6500 made by Councilperson Hollister and seconded by Councilperson Kingsley.

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

**NAYS 0**

**Motion** to approve minutes from May 15, 2019 meeting made by Councilperson Safka and seconded by Councilperson Hollister.

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

**NAY 0**

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

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

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

Also, the Town received another unsatisfactory from Ag & Markets pertaining to the conditions at the kennel. She has 30 days to remedy and they will reinspect.

**Compliance Officer Report -**byMartin Roque

-June 5th, he received a call from Evan Short on Carlton Road. At the top of the driveway the property is owned by a woman named Mary Combs. There is a garage there and a mobile home which they back into the garage and live there according to Mr. Short. He is concerned about the number of domestic violence calls to that residence and is concerned for the welfare of his wife and child. Mr. Short wants to know if there is anything the Town Board can do about the situation. C/O Roque also asked if they had a permit for it, or questioned what the septic situation is out there.

-C/O Roque spoke Maurice Combs concerning the trailer on Shawn Mulholland’s property and he assured him he was going to get it but was concerned because he has already been thrown off the property. He was advised to contact the Sheriff or State Police to escort him when he goes to get his trailer. Supervisor Rozell said he was told the same thing at the County; that Mr. Combs needs to get in touch with the Sheriff’s or State Police and get an escort.

-C/O Roque as what the out come was for “Miss Kitty’s”. Supervisor Rozell stated that the 90 days has passed since our last meeting and the board wanted to take other avenues, which is going through County Code Enforcement and they have summons her. C/O Roque wants to know why the board did not fine her as per the violation. Attorney Sellers-Ryan stated that she would have to be taken to court first then given the fine. If however, the Town wants to impose more than a fine, The Board would have to take her to Supreme Court which will be very costly to the Town not to mention the taxpayers. The only way you can get an injunction to clean it up is from Supreme Court, Local Court can give an assessment and fine and tell the property owner to clean it up. Attorney Ryan-Sellers recommend the discussion continue in Execution Session due to the fact the Board was considering litigation.

-Councilperson Safka asked about the person(s) backing the trailer into the garage and residing it. Even if it is a mobile camper, it is covered under the mobile law. The property address in question is 276 Carlton Road, Whitehall (44.1-22.3) and property owner is believed to be Mary Combs. There is supposedly a gentleman currently staying on the property. Supervisor Rozell asked what legal things the board can do. Attorney Sellers-Ryan said we need to look to see if its an actual violation of the mobile home law. She will review it and get back to Supervisor Rozell.

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

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

**Town Supervisor Report-** Oral report by John Rozell

- We will be changing our electrical supplier from Engie to Constellation. Highway Garage is already changed over. The current rate is .76 KWH reduced down to .548KWH with Constellation.

-Ag & Market inspection Report reported unsatisfactory for the Dog Compliance Officer. It is her second unsatisfactory report this year. She has 30 days to remedy and she always gets it done within the 30 days.

-Supervisor Rozell read an email from Gregg Chappell, Planning Board Secretary, pertaining to the solar field bordering Mr. Pinkowski’s property. We found in researching the brem, it was discussed in the initial meeting but we did not stipulate that in the final approval. They did give verbal consent to plant the trees at the meeting. They were more concerned with the noise levels coming from the field due to a handicap child residing near by and to replace the water pipe that ran across the field. The brem was not stipulated in the approval letter. Mr. Pinkowski stated he would plant his own trees then but was advised by Supervisor to wait a week to see if there was a possibility to have the Solar company plant them instead.

- The Town is still looking for substitute members for the Town Planning Board.

-Canal Festival will be held June 28th and 29th ending with fireworks over the canal.

-Music in the Park will be held Fridays June 28th thru August 9th from 7PM –9PM in the Riverside Veterans Memorial Park.

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

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

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

-Fire extinguisher inspections were done at the Town Hall, Highway Garage, Rec Center. There were a couple that needed to be sent out.

-Boiler inspections were done on 6/24/2019; two in the Town Building, one at the Rec Center. They all passed.

-Safety days were 6/25 & 6/26 at Wash Co. Fair Grounds.

-The new dump truck will be here by next board meeting.

-Wash. Co. has surveyed Beckett Road for the new guide rails and will get the final numbers for July Board meeting to see what it will cost for the total job will be. The Highway Dept will do the installation.

-Spectrum is tearing up the roads. Superintendent Pratt spoke with Spectrum back in April and went and looked at Buckley Road, Carlton Road, Wescott Road and nothing is getting done. Also, Hatch Hill and Dick Hyatt Roads are now a mess. They are not packing the dirt back down and its washing out. Back in May when we had wash-outs I took pictures and you could see the phone lines and the orange pipe on Truthville Road. The same thing is going to happen on the other roads because they aren’t packing it back down. After reviewing the contract Superintendent Pratt said they are responsible to put things back to their original condition. We can fix the damage and charge them for it. They are not properly using signage or flaggers while working. Superintendent Pratt has reported this to the NYS troopers. Attorney Sellers-Ryan advised Superintendent Pratt to take more photos and she will send a letter to put them on Notice immediately.

-Barry Lane is retired. He is back on the books for the month of June.

-Will be doing interviews next week for a replacement.

Supervisor Rozell reported that NYS will not change the speed limit on Route 4 nearly Buckley Road as requested by the WHS and the Town of Whitehall due to enforcement. The state sent a notice to the Sheriff’s and NYS Troopers. The Sheriff has put out a mobile digital speed sign which shows what speed the car is traveling at, but unfortunately it has not been working.

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

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

**NAYS 0**

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

**Other business:**

Approval for Park use for August 10, 2019 10:30am to 6:00pm for Out of The Box Worship.

Approval for Park use for August 11, 2019 10:00am to 2:00pm for First Baptist Church.

Approval for Park use for August 31,2019 for 1st Annual Car Show.

**Motion** to approve dates for park usage made by Councilperson Safka and seconded by Councilperson Hollister.

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

**NAYS 0**

**-**The Town received a couple thank you notes from visitors for the use of our facilities and we have collected $87.00 in the first three weeks.

-Councilperson Safka met with Dan Brown from Saratoga Surveillance and he said it would be only a few hundred dollars to upgrade the system to have the police monitor it. She is going to get an exact price and bring it to the next meeting.

-Pat Kingsely is going to be the new Deputy Town Clerk and Supervisor Rozell’s clerk.

-Last month the local law for nuisance was brought up. The Attorney went ahead and rewrote the law and I would like the Board Members to take it home and go through it; highlight anything you like or dislike and bring it back month with your comments or suggestions. Supervisor Rozell stated whether we use it or not, it will be another tool to have just in case. Councilperson Dudley asked for clarification on C/O Rocque authority as to what he can or cannot do. C/O Rocque can write violations on the Town Laws but not Code enforcement issues.

**ABSTRACT # 6 of 2019** General Fund V#19-6 1/29 $24,783.90

Highway FundV#19-6 1/14 $10,775.87

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

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

**NAYS 0**

**Motion** to go into Execution Session made by Supervisor Rozell and seconded by council person Hollister at 8:15 to discuss possible of litigation.

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

**NAYS 0**

**Motion** to reconvene the regular Board meeting at 8:44 and continue on with litigation for parcel I.D. #60.3-10.3 10098 State Route 4, Whitehall NY 12887 made by Councilperson Hollister and seconded by Chris Dudley

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

**NAYS**

**Motion** made to adjourn by Councilperson Hollister and seconded by Councilperson Safka.

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

**NAYS 0**

**Adjourned**

**Respectfully Submitted**

**Patti Gordon**

**Town Clerk**