

**REGULAR MEETING, WARRENSBURG TOWN BOARD, NOVEMBER 10, 2009**

A regular meeting of the Warrensburg Town Board was held on Tuesday, November 9, 2009 at the Albert Emerson Town Hall at 7:00 p.m. with the following members present:

**PRESENT:**

|            |                   |
|------------|-------------------|
| Supervisor | Kevin B. Geraghty |
| Councilman | John Alexander    |
| Councilman | Joseph Barlow     |
| Councilman | Dean Ackley       |
| Councilman | Austin Markey     |

**OTHERS PRESENT:** Donna A. Combs, Town Clerk; Edward Pennock, Highway Superintendent; Richard Galusha, Water Superintendent; Sandra Parisi, Historian, and numerous other town residents.

**RESOLUTION #179-09  
APPROVE MINUTES**

On motion of Councilman Alexander, seconded by Councilman Ackley, the following resolution was ADOPTED – VOTE – AYES 5 NAYS 0

**RESOLVED,** to approve the minutes of October 14<sup>th</sup> October 19<sup>th</sup> and November 2<sup>nd</sup> meetings.

**REPORTS OF TOWN OFFICIALS**

Reports were received and read from the following Town Officials: Town Clerk, Supervisor, Assessor, Justice, Dog Control Officer and Enforcement Officer.

**COMMITTEE REPORTS**

Committee reports were given from the following: Highway, Lighting, Historian/Museum, Parks and Recreation.

**DISCUSSION – INTERVIEWS**

Supervisor Geraghty opened discussion telling the Town Board the Comprehensive Planning Committee has chosen one candidate, and the Town Board should interview all three candidates, who are close in services.

Councilman Ackley asked if there was a recommendation from the Committee.

Supervisor Geraghty explained they did, he would prefer the Town Board interview before the Town Board awards the contract.

Sandi Parisi-advised the Town Board the Department of State and Warren County has advised the Comprehensive Committee the Committee should be comfortable with the firm they are going to be working with, which is the reason the Committee chose the firm they did because of the comfort they felt with that person. Mrs. Parisi told the Town Board to take that into consideration when they are interviewing.

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Councilman Markey asked if the Town Attorney had reviewed the contract with the firm that is being recommended by the Comprehensive Planning Committee.

Supervisor Geraghty said the Attorney did review the contract and he did back up his concerns, the Supervisor wishes to meet with them before he signs a contract.

**RESOLUTION #180-09  
SCHEDULE WORKSHOP MEETING FOR INTERVIEWS**

On motion of Councilman Ackley, seconded by Councilman Markey, the following resolution was ADOPTED – VOTE- AYES 5 NAYS 0

**IT IS RESOLVED**, to hold a special workshop meeting on Monday, November 16, 2009 to interview consultant candidates who will be preparing a Local Waterfront Plan, a Comprehensive Plan and Planning and Zoning revisions at 4:30 p.m.

**RESOLUTION #181-09  
OCCUPANCY TAX FUNDS FOR CHAMBER MAP**

On motion of Councilman Alexander, seconded by Councilman Ackley, the following resolution was ADOPTED – VOTE AYES 5 NAYS 0

**IT IS RESOLVED**, to award the Chamber of Commerce \$540.00 Occupancy tax monies to pay for an updated walking map of Warrensburg.

**RESOLUTION #182-09  
OCCUPANCY TAX FUNDS FOR HOLIDAY CRAFT FAIR**

On motion of Councilman Ackley, seconded by Councilman Markey, the following resolution was ADOPTED – VOTE – AYES 5 NAYS 0

**IT IS RESOLVED**, to award the Chamber of Commerce \$2000.00 Occupancy tax monies for the Holiday Craft Fair advertising for December 6, 2009 at the Lodge at Echo Lake.

**RESOLUTION #183-09  
OCCUPANCY TAX FUNDS FOR NORTH WARREN TRAILBLAZERS**

On motion of Councilman Markey, seconded by Councilman Ackley, the following resolution was ADOPTED – VOTE – AYES 5 NAYS 0

**IT IS RESOLVED**, to award the North Warren Trailblazers Snowmobile Club \$3500.00 to maintain a safe trail system and for brochures and maps.

**DISCUSSION – SOCKETS FOR LIGHT POLES FOR CHRISTMAS DECORATIONS**

Supervisor Geraghty opened discussion telling the Town Board the cost is \$45.00 per pole for 15 poles to be paid from Occupancy tax money. Supervisor Geraghty explained this will not be something that will be done this year.

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Ed Pennock, Highway Superintendent – told the Town Board there would be 3 poles on Water Street, 4 poles on Elm Street, 5 poles on Hudson Street and 3 poles on River Street that would receive the sockets.

**RESOLUTION #184-09**

**AUTHORIZE SOCKET PURCHASE FOR POLES FOR CHRISTMAS DECORATIONS**

On motion of Councilman Alexander, seconded by Councilman Markey, the attached resolution was ADOPTED – VOTE – AYES 5 NAYS 0

**RESOLUTION #185-09**

**AUTHORIZE HALF PAGE YEARBOOK AD**

On motion of Councilman Markey, seconded by Councilman Alexander, the following resolution was ADOPTED – VOTE – AYES 5 NAYS 0

**IT IS RESOLVED**, to purchase a half of a page ad for \$115.00 for the Warrensburg School Hackensack Yearbook for 2010.

**RESOLUTION #186-09**

**AUTHORIZE SUPERVISOR TO ATTEND ADIRONDACK ASSOCIATION OF TOWNS AND VILLAGES**

On motion of Councilman Ackley, seconded by Councilman Barlow, the following resolution was ADOPTED – VOTE – AYES 5 NAYS 0

**IT IS RESOLVED**, to authorize the Supervisor to attend the Membership meeting of the Adirondack Association of Towns and Villages to be held December 5<sup>th</sup> and December 6<sup>th</sup>, 2009 at the Holiday Inn of Lake George, New York.

**RESOLUTION #187-09**

**AUTHORIZE PERMISSION FOR ASSOCIATION OF TOWNS OFFICIALS**

On motion of Councilman Ackley, seconded by Councilman Barlow, the following resolution was ADOPTED – VOTE – AYES 5 NAYS 0

**IT IS RESOLVED**, to authorize permission for attendance for the Supervisor, the Town Clerk, the Highway Superintendent and or any town official who wishes to attend the 2010 Association of Towns in February in New York City.

**DISCUSSION – COURT OFFICER WITH POLICE POWERS**

Supervisor Geraghty opened discussion explaining the audit that was done by the New York State Court system had mentioned a court officer with police powers, when he had a chance he contacted the Sheriff, he does have names, one current police officer who will be retiring in January and one former police officer, there would be no increased cost to what the Town does pay and there would be somebody with police powers. Supervisor Geraghty asked the two councilmen who do the court audits to elaborate on this.

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Councilman Barlow said one of the recommendations that the Department of Public Safety Security Assessment for the Unified Court System was the recommendation, and this was of concern to the Town's two judges as well, the following excerpt: as funding allows employ properly trained law enforcement personnel for court security and screening. Councilman Barlow said the recommendation does go further with a whole list of recommendations concerning hand scanners, ex ray machines, screening procedures and so forth. Councilman Barlow said both judges acknowledge there is a need for filling the recommendation with trained law enforcement.

Councilman Markey said he agreed with Joe (Councilman Barlow), they met with the Judges sometime in the summer and reviewed the audit with them, line by line concerning budgetary constraints, the town has a line item which pays the current court officer and as long as the town stays within those bounds the Judges had asked the town to get some kind of armed officer. Councilman Markey said he knew from talking with them, he and Joe also had met with them during budget time concerning some of their budget lines; they again voiced the concern to see if they would be able to have more security. Councilman Markey said the Judges had talked about where they had to have people that were here formally escorted out of the building. Councilman Markey told the Town Board it was his thought if they could stay within the Town's budget and provide that next level of security and conform to the state audit they should make move of that. Councilman Markey said he spoke to Judge Nissen today, there are a few other things in the audit the Town can apply for grant money for next year, some building changes, there is grant money available for next year and Councilman Markey feels the Town should pursue it.

Councilman Alexander asked where they want the town to go, do they want an armed officer, someone with pepper spray. Councilman Alexander said if they bring a prisoner in here in shackles he would be under the Deputy's care, which would be an armed officer.

Discussion ensued on what the audit is looking for, what the recommendations are.

Councilman Barlow told the Town Board the recommendation did not say armed, it said employ properly trained law enforcement personnel for court security and screening.

Supervisor Geraghty said most of the courts have an armed officer now, he will discuss some of the other recommendations in there with the building people such as removing a row of chairs, there are some things in there which are easily fixed, usually they bring the prisoners from the jail and they do not want direct contact from the people in the court with them, the town can remove a row or two of chairs.

Discussion ensued on other areas of safety discussed in the audit, and, observed by other officials in other towns during court, as well as the usage of police officers versus peace officers in the county courts.

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Councilman Ackley asked if the Sheriff had a list of officers. Supervisor Geraghty said the Sheriff gave him some names; there is the one officer who is going to retire in January who expressed an interest if the Town Board chooses to go in this direction. Supervisor Geraghty told the Town Board he is basing it on what the conversation the Justice Committee had with the two judges is, he can go either way, the Judges need to be allowed to feel comfortable while they are on the bench. Supervisor Geraghty told the Town Board the one officer said he would work for the salary that has been budgeted for 2010.

Supervisor Geraghty said he did believe this was a result of the meetings with the Judges, the Town Board is trying to do what the Judges want, he was not there but he did know they did express concerns about their safety.

Discussion ensued on the meetings the Justice Committee had with the Judges.

Alan Smith, Court Officer-told the Town Board he had just learned of this agenda topic earlier this afternoon. Mr. Smith said he has spoken with several town courts, the Lake George Court Officer told him there is something coming through the unified Court System but it is geared towards city courts, not town courts, it is controlled at this level, there are no mandates coming down from any state agency requiring a town court to do anything other than what they already have.

Discussion ensued with Mr. Smith. Mr. Smith said he wished he could have been present for the meetings with the Judges. Supervisor Geraghty said our Court is the third busiest court in Warren County, he can go either way with this, he has done and his job, if the Board chooses to leave things the way they are they can tell the Judges, if the Board wishes to hire a police officer, somebody with police powers, they can do that too.

Mr. Smith asked to be present if there is another conference with the Judges.

Councilman Barlow said he wished to make the recommendation the Town Board follow the recommendations of the State and hire a police officer, a properly trained officer for the Court.

**RESOLUTION#188-09**

**HIRE COURT OFFICER WITH POLICE POWER**

On motion of Councilman Barlow, seconded by Councilman Markey, the following resolution was ADOPTED- VOTE – AYES 5 NAYS 0

**IT IS RESOLVED**, to follow the State Recommendation to hire a court officer with police powers, which is also the request of both Justices.

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**RESOLUTION #189-09**

**PAY BILLS**

On motion of Councilman Barlow, seconded by Councilman Ackley, the following resolution was ADOPTED – VOTE – AYES 5 NAYS 0

**IT IS RESOLVED**, to pay the bills as outlined on Abstract #11-09.

**RESOLUTION #190-09**

**PERMISSION TO ENCUMBER 2009 VACATION TIME**

On motion of Councilman Barlow, seconded by Councilman Alexander, the following resolution was ADOPTED – VOTE – AYES 5 NAYS 0

**IT IS RESOLVED**, to give permission to Richard Galusha to encumber his 5 weeks 2009 vacation until 2010.

**DISCUSSION – PUBLIC CONCERNS**

Supervisor Geraghty gave an updated report on a meeting he had with Chazen in Albany regarding the Brownfield site at the Paper mill telling the Town Board he wishes to put a top soil cap and grade it on that property as part of the towns in kind services, DEC will pay for the top soil. The town is waiting for a reply.

Supervisor Geraghty attended the Hickory Hill grand opening, there were over 500 people in attendance, the Supervisor met the majority stock holder, Hickory Hill will have snow making and intend to purchase two more snow guns for the mountain.

Congressman Murphy held a session with his Veterans group on Monday at the Warrensburg Town Hall.

Construction on the Woolen Mill Bridge will begin in the spring; it will be a two lane road.

On motion of Councilman Markey, seconded by Councilman Barlow, the meeting was adjourned at 7:32 p.m.

Respectfully submitted,

Donna A. Combs, RMC/CMC  
Warrensburg Town Clerk

