

REGULAR MEETING, WARRENSBURG TOWN BOARD, MAY 12, 2010

The regular meeting of the Warrensburg Town Board was held on Wednesday, May 12, 2010 at the Albert Emerson Town Hall at 7:00 p.m. with the following members present:

PRESENT:	Supervisor	Kevin Geraghty
	Councilman	John Alexander
	Councilman	Bryan Rounds
	Councilman	Austin Markey
	Councilman	Dean Ackley

OTHERS PRESENT: Donna A. Combs, Town Clerk; Ed Pennock, Highway Superintendent; Richard Galusha, Sewer Superintendent; and numerous Town residents.

RESOLUTION #98-10

MINUTES

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

RESOLVED, to accept the minutes as presented.

REPORTS OF TOWN OFFICIALS

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

TOWN COMMITTEE REPORTS

The following town committees gave reports: Highway, Museum, Historian, Parks and Recreation, and Youth.

DISCUSSION – ECHO LAKE AND TOWN PARKS

Supervisor Geraghty opened discussion saying the town is thinking about opening the pavilion at Echo Lake during the week, the Board feels there is enough use within the town to open those facilities; a schedule will be worked out with Mr. Galusha.

Councilman Ackley asked if the gates would be open for the Sheriff's Department at nighttime so they can do night patrol there, the Town has a lot of problems at nighttime.

Supervisor Geraghty said it was his thought to do it on a trial basis and see how it goes, they will address it in thirty days, he will email the sheriff's department to tell them to please do drive by's to check.

Councilman Ackley spoke about the need for additional signs, telling Mr. Galusha to place them right at the edge of the water. Supervisor Geraghty said the rules for the upper part of Echo Lake would need to be listed, such as garbage is to be carried out.

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Councilman Ackley told Mr. Galusha that some of the signs at the Rec. Field are not in compliance with the Town's Code Book, for example when they close; they should try to keep that the same as the Code.

COMMUNICATIONS:

- 1) A letter from Alice Farrell, 37 King Street, regarding sidewalk disrepair on the King Street, asking that the Town remove the broken and displaced pieces of concrete

DISCUSSION-SIDEWALK

Supervisor Geraghty opened discussion telling the Town Board Mrs. Farrell is very concerned about the broken sidewalks on King Street, it is in disrepair and the Town has no funds available this year to make repairs to that section of town, someone could be injured there and this does put the town on prior written notice. Supervisor Geraghty told the Town Board he has been talking to the Sidewalk Superintendent, the best bet is to take that sidewalk up for the time being, until the Town receives the funds to replace it.

RESOLUTION #99-10

REMOVE BROKEN SIDEWALK ON KING STREET

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

IT IS RESOLVED, to remove the all of the sidewalk and concrete pieces on what was the easterly sidewalk on King Street until it can be replaced by the town at a later date when funding allows for it.

DISCUSSION – UTILITY EASEMENT FOR HICKORY SKI CENTER

Supervisor Geraghty opened discussion telling the Town Board an email was received from Hickory Ski Center asking for permission from the Town to run a water line from their facility down to the Hudson River for snowmaking equipment and they are looking for an easement from the Town to be allowed to go along that road. Supervisor Geraghty said he was not sure what the town needs to do, but, he believed the first step was to allow them to tap into the river. Supervisor Geraghty asked the Town Board if they wished to give Hickory Hill Ski Center that permission to tap into the river.

RESOLUTION #100-10

PERMISSION TO TAP INTO HUDSON RIVER

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

IT IS RESOLVED, to give Hickory Hill Ski Center permission to tap into the Hudson River.

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RESOLUTION #101-10

SCHEDULE PUBLIC HEARING FOR DINU DRIVE LOCAL LAW STOP SIGN

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 public hearing for a proposed local law to place a stop sign on Dinu Drive on Wednesday, June 9th, 2010 at 6:45 p.m. at the Warrensburg Town Hall and the Town Clerk is authorized to advertise the public hearing in the legal section of the Post Star.

DISCUSSION – PUBLIC THANKS

Supervisor Geraghty said he wished to publicly thank Paul Gilchrist for the two Liberty Elm trees that he donated to the Town and planted on the lawn of the Senior Citizens Building.

Supervisor Geraghty thanked the Beautification Committee for their plantings in the various flower beds and cleaning up the area's around the town. Supervisor Geraghty said that Morgan Crandall is on the job to take care of the flowers and make sure they are watered.

RESOLUTION #102-10

AMEND SEWER ROLL

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

IT IS RESOLVED, to amend the Sewer Roll as follows:

Toney Prop, GB Prop & RJ Manor 211.13-3-39 from \$1922.00 yr to \$1600.00 yr.

RESOLUTION #103-10

AMEND WATER ROLL

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

IT IS RESOLVED to do the following amendment to the Water Roll:

Toney Prop., GB Prop & RJ Manor 211.13-3-39 from \$535.00 to \$433.00 year.

DISCUSSION - NYS DOT SIDEWALK AGREEMENT

Supervisor Geraghty opened discussion telling the Town Board a resolution is needed to authorize the Supervisor to enter into an agreement with NYS DOT for funding for a sidewalk project in the amount of \$48,649.00, this is the same type of thing the town did with Parks.

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RESOLUTION #104-10

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100 % OF THE FEDERAL –AID AND STATE MARCHISELLI PROGRAM –AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL AID PROJECT, AND APPROVING FUNDS THEREOF.

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

RESOLUTION #105-10

AWARD OCCUPANCY TAX GRANT

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

IT IS RESOLVED, to award Occupancy Tax money to Warrensburg B&B Group for \$159.95 to promote the Warrensburg bb.com website Network Solutions to be paid out of Occupancy Tax money.

RESOLUTION #106-10

LANDFILL PUNCHCARD SALE

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

IT IS RESOLVED, to allow the Town Clerk to hold a Buy One Get One Half Off Landfill Punch Card Sale for the week of May 17th through May 21st.

RESOLUTION #107-10

AUTHORIZE CHAMBER OF COMMERCE TO USE TOWN HALL PROPERTY

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

IT IS RESOLVED, to allow the Warrensburg Chamber of Commerce to use the Town Hall property at 3797 Main Street for the Arts and Crafts Festival on July 10th and 11th, 2010.

DISCUSSION – EAGLE SCOUT AWARD

Supervisor Geraghty opened discussion explaining that Kurt Bedell worked on the Tot Lot Pavilion at the Warrensburg Recreation Field for his Eagle Scout Project. Supervisor Geraghty said the pavilion did fit nicely into the town's project for the Tot Lot.

Councilman Alexander said it would be a pleasure to make that resolution.

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**RESOLUTION #108-10
EAGLE SCOUT AWARD**

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

DISCUSSION – SEWER EXPANSIONS

Supervisor Geraghty opened discussion telling the Town Board he would like authorization to hire James Hutchins, Engineer to do a map, plan and report for the extension of the Sewer District onto Thompson, Third, Fourth and Raymond Lane and a second extension from Sanford Street to Elm Street along Library Avenue. Supervisor Geraghty explained the Sewer pipe has already been put in on Third Street, Fourth Street and Raymond Lane, the Sewer District was never extended, once the Town receives the map, plan and report the estimated cost will be around \$4,000.00-maybe less. The Town will then hold public hearings to have that section of town which already has the pipe in front of the homes into the Sewer District.

**RESOLUTION #109-10
AUTHORIZE JAMES HUTCHINS TO PREPARE SEWER MAP, PLAN AND REPORT FOR THIRD STREET, FOURTH STREET, THOMPSON AND RAYMOND LANE.**

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

**RESOLUTION #110-10
AUTHORIZE JAMES HUTCHINS TO PREPARE SEWER MAP, PLAN AND REPORT FOR SANFORD STREET TO ELM STREET.**

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

**RESOLUTION #111-10
AUTHORIZE ADDITIONAL PAYMENT FOR ADIRONDACK PARK LOCAL GOVERNMENT REVIEW BOARD**

On motion of Councilman Markey, seconded by Councilman Ackley, the following resolution was ADOPTED – VOTE – AYES 4 NAYS 0 ABSTENTION 1 (Supervisor Geraghty abstained from voting because he serves on the Committee at County level)

IT IS RESOLVED, to authorize an additional payment to the Adirondack Park Local Government Review Board in the amount of \$250.00 from the Contingency Account because their budget has been cut by 53% in the last 20 months.

DISCUSSION – WEB SITE

Supervisor Geraghty announced they have received info from the Town's Webmaster that the Town's website that was started about a year ago that the town has received 166,742 hits to the Town's website. Supervisor Geraghty asked if people have concerns

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maneuvering the website to let the Town Clerk know; Councilman Alexander is the Assistant Webmaster.

PRIVILEGE OF THE FLOOR – ROCKY RIDGE ROAD 911 ADDRESSES

Supervisor Geraghty introduced Justin Hull, Warrensburg Fire Chief, explaining that Mr. Hull was present to discuss concerns they have about the numbering system on Rocky Ridge and the numbering system.

Mr. Hull told the Town Board there was a carbon monoxide detector activation call on Rocky Ridge the other day, as you pull in off from State Route 9 there is the first entrance off from Rocky Ridge road. Mr. Hull referred to maps he and the Town Board were viewing. Mr. Hull said as he drove up the road, from where he had driven in on at the entrance the numbers started changing, in all theory if he was driving down this road he would not expect the numbers to change at the t-intersection. Mr. Hull told the Town Board he assumed the road continued on as Rocky Ridge Road, when in all reality, he had driven onto Rollies Road and the numbers start at 222; this is really nothing more than a large cull de saque. Mr. Hull told the Town Board they would basically be renaming Rollies Road and renumbering five parcels. Mr. Hull told the Town Board it is very hard to navigate, and, the property owners have lot numbers in front of every one of their residences along with the actual address number.

It was suggested to have Chris (Zoning Officer) to go up and ask them to remove the lot numbers.

Supervisor Geraghty suggested they table any action on this road until June to allow the Town to speak with the people who did the 911 addresses.

RESOLUTION #112-10 ESTABLISH A CAPITAL PROJECT

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

IT IS RESOLVED, to create a capital project to be known as H15 Sidewalk Project for the sidewalk project grant money in the amount of \$48,649.00 from the Reserve fund.

RESOLUTION #113-10 2010 BUDGET TRANSFERS

On motion of Councilman Alexander, seconded by Councilman Ackley, the attached budget transfers were ADOPTED – VOTE – AYES 5 NAYS 0

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RESOLUTION #114-10

PAY BILLS

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

IT IS RESOLVED, to pay the bills for the Town of Warrensburg as outlined on Abstract #5-10 as follows: General fund \$33,570.06; Highway fund \$16,708.10; H-10 Playground Comfort Station - \$8970.54; H30 Waterfront Revitalization - \$6093.72; H36 Brownfield Paper-\$4732.42; Lighting \$5443.02; Sewer-\$22,353.07 and Water-\$7561.86.

PRIVILEGE OF THE FLOOR – TOWN RESIDENTS

Theresa Whalen, James Street for Warrensburg Beautification: spoke to the Town Board about the following Beautification projects: a young man looking for an Eagle Scout project, Dennison Beers and the possibility of Dennison working on cleaning and marking the trail going up Hackensack Mountain; discussion on the time frame for the painting of the Senior Citizens Building, and the proposed crosswalk at the Farmers Market on River Street.

Ms. Whalen told the Town Board she had conversation with Mark Kennedy who is the traffic engineer for NYS DOT and he had a suggestion for the Town; if the Town puts a concrete pad on the other side that could receive handicap accessible so if someone were in the crosswalk in a wheel chair they could wheel up into the parking area.

Supervisor Geraghty advised Ms. Whalen to tell Mr. Kennedy to put that in writing to the Town of Warrensburg with a drawing of what he wants because any time he has ever spoken to the State of New York it has been no. Supervisor Geraghty said as soon as the Town gets that, although it is a shame the State of New York will not do that on their own highway, if Mr. Kennedy gives the Town specifications in writing to the Town of Warrensburg she could be assured the Town would do it.

Dottie Potter- told the Town Board she was very, very upset; she and her husband sent a letter last winter about the Zoning on Stewart Farrar Avenue, when the Town Board had their zoning meeting, they were never notified the parcel was coming up and was going to be rezoned for commercial. Mrs. Potter said she understood the Main Street part of it, that it is zoned commercial but the other corner was not and it was always supposed to be professional or something in that thing, people might come there to work but it was not supposed to be constant traffic and now, with Stewarts putting gas pumps in there you will have a ton of traffic on that corner, if they leave the building that is there and rent it to something else they will have double the traffic. Mrs. Potter told the Town Board she lives on that street, and, it is very difficult to get in and out of that street with school busses, kids and senior citizens; it was a very poor move to go ahead and change that one corner, they were not notified and she feels they should have been notified. Mrs. Potter said they did get a letter for the site one that is coming up on the 15th but they received

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no acknowledgement that the town received their letter or that the Zoning one was coming up.

Supervisor Geraghty told Mrs. Potter that the Town had put all of the letters in the packets that are made and given out to the Town Board, when the public hearing was held. Town Clerk Combs said the Town did a public hearing notice on it and sent out notices to everyone within 50 feet of the property. Mrs. Potter said they were in Florida at the time, they sent notices of their Florida address in a letter and they received no notice back. Supervisor Geraghty told Mrs. Potter it would have gone to her tax map address; the Town Clerk confirmed the Town has not received the Potter's notice back. Mrs. Potter told the Town Board she really thought that when it was something the town board would be looking at they deserve a notice back from the town that they are going to do something. Mrs. Potter said their Florida address was on the letter they sent to the Town. Supervisor Geraghty told Mrs. Potter the letter from the Town should have been forwarded to them in Florida because the Town did not receive the letter back. Mrs. Potter asked the Town Board how many of them went and saw what the street is like during any of the congestion time. Several of the Councilmen assured Mrs. Potter they have been there and seen the street during congestion time. Mrs. Potter asked if they have seen the busses come through there and the little kids running through the back lots.

Supervisor Geraghty told Mrs. Potter the traffic concerns have been addressed, a traffic study has been done and they will be addressed again on May 18th at the Planning Board meeting; that is where she should go. Mrs. Potter told the Supervisor she was going but the Town has already re-zoned that as commercial now. Mrs. Potter said they can put what ever they want in there now, the Supervisor agreed they have rezoned the property and Mrs. Potter told the Supervisor they can put what ever they want in there now.

Councilman Rounds asked Councilman Ackley if he did a survey on how many kids actually walked through there and Councilman Ackley said yes, six.

Paul Weick – said he wished to ask a question about the process for the zoning meeting and the one that is on the 18th, the Planning Board meeting. Mr. Weick told the Town Board because he was working evenings he was unable to attend the Zoning Board meeting regarding Stewarts. Someone spoke and told Mr. Weick it was not a Zoning Board meeting; it was a town board meeting. Mr. Weick asked if there was a Zoning Board meeting first. It was explained to Mr. Weick the Town Board initially referred the petition for a Zone Change to the Planning Board for recommendation, the Planning Board met and they gave the Town Board a recommendation. Mr. Weick reiterated the process that had occurred, to date. Mr. Weick asked what the purpose of the upcoming Planning Board meeting was; Supervisor Geraghty responded it was for Site Plan Review. Mr. Weick asked if there was a time at that meeting for the public to speak and

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give comment because from the newspaper reports of that first meeting there was no public comment allowed.

Councilman Ackley said he would hope they would allow for a public hearing, which would be up to the Planning chairman, his personal opinion was he would like to have them have the public speak.

Discussion ensued on what the Town Law is. Councilman Markey said he and Councilman Alexander attended the Planning Board meeting and the Planning Board discussed their options and gave recommendations, when the recommendation came back to the Town Board, the public was given an opportunity to speak.

Discussion ensued on who would be allowed to speak and if the public would be allowed to speak, the fact that the town board does not control the Planning Board, and what town rules there are for public comment for town meetings. Discussion ensued on who the Planning Board is under, if they are under the Town Board, and, the recommendations for the Planning Board to allow the public to speak.

Councilman Markey explained the intent of the Town Board was only for rezoning of the parcel, whether it was to say Commercial or residential. Councilman Alexander said it intrigued him that night that the Planning Board allowed the representative from Stewarts and their Attorney to speak and yet they did not allow any one else to speak.

Discussion continued on public concern about the process that has occurred, the petitions the town has received and the speed some of the town's people feel the application is moving at.

Paul Gilchrist, Diamond Point, spoke about reviewing the Town of Warrensburg's comprehensive plan and read a prepared statement into the record.

Al Smith – spoke regarding the upcoming vote on the School Budget.

Gary Cooper asked about sidewalks, and, told the town board he reported a car carrier for parking on the sidewalk on Hudson Street. Mr. Cooper asked questions about the type of sidewalks the town would be installing, and, about the people parking on the sidewalks when they go to ball games. Mr. Cooper asked about creating curbs like on Main Street.

Irene Frasier- asked about volunteers who have served on different boards for the town receiving a letter of thanks for their volunteer service from the town.

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On motion of Councilman Ackley, seconded by Councilman Markey, the meeting was adjourned at 8:03 p.m.

Respectfully submitted,

Donna A. Combs, Town Clerk