

REGULAR MEETING, WARRENSBURG TOWN BOARD, FEBRUARY 8, 2012

The regular meeting of the Warrensburg Town Board was held on Wednesday, Feb. 8, 2012 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
	Councilwoman	Joyce Reed
	Councilwoman	Linda Marcella

OTHERS PRESENT: Donna A. Combs, Town Clerk; Ed Pennock, Highway Superintendent; Thomas Belden; Sandi Parisi, Town Historian; Steve Parisi, Chris Belden, Zoning Officer; Associates from Elan and numerous Town residents.

Supervisor Geraghty called the informational hearing to order at 7:00 p.m. with the Pledge to the Flag.

INFORMATIONAL HEARING-STREET LIGHTING DISTRICT

A notice of an informational meeting for the Street Lighting District Informational hearing was duly published in the Glens Falls Post Star newspaper on January 26, 2012, with same being posted on same date at the Town Hall. Town Clerk Combs read the Notice of Hearing for the record.

Supervisor Geraghty opened discussion explaining the history of the lighting district, saying that the Town has had requests in recent years for the cost of the lighting district to be shared by the whole town not just a lighting district parceled out by tax map ID numbers. Supervisor Geraghty said the cost of the lighting district is currently 36 cents for those people who live within the lighting district, they pay the full amount of the street lights, if the Board were to encompass the lighting district as the whole town the rate would go from 36 cents per thousand down to 24 cents per thousand, the people who are currently in the lighting district would see a slight reduction on their tax bill, the people who are not in the lighting district now would see an increase in their tax bill and it would be under the general fund versus a separate district. Supervisor Geraghty explained the way different communities charge for the street lights in their towns.

Councilman Alexander said he was pro for this to go into the general fund, for many reasons. Councilman Alexander stated public safety, and commerce, explaining it is for people who need to come downtown to do their shopping, he does like the idea of everyone sharing the district and everybody sharing the expense.

Councilman Rounds said it was his feeling the town is trying to put its accounts in order, and, said it is only fair because everybody does share the lights, that it be spread out from the general fund would seem to be the best way, and, it is his feeling that it will work fine.

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Councilwoman Reed said that she agreed, if the town wishes to bring more business into the town, the lighting district as it is seen now is a benefit the whole town receives.

Councilwoman Marcella said that she could not tell the town board how many times she has come home at night and wished she had street lights on her road, and, stated numerous incidents where she has not had the benefit of street lights by her home. Councilwoman Marcella told the Town Board that she does not feel that everybody benefits from this and said that she would love to have everybody's lights turned off except for those on the Main Street so they could see what it is like to come home in the dark, every night. Councilwoman Marcella said this is also an issue of safety, and her quandary is to try and figure out what is fair, she has done research, and, unless she was wrong, it was her belief they could not assess taxes on someone or an entity that does not benefit from that service, and, what they are doing is expanding the lighting service to include the whole. Councilwoman Marcella said that because she does represent about 3400 people she will go the way the majority says.

Supervisor Geraghty said there was one comment phoned in to the Town Hall from a person who lives up by Exit 24 that does not feel she wants her tax bill to go up at all and does not feel she should help pay for the lighting. Supervisor Geraghty said he would equate the lighting district to the landfill, every body in town pays the landfill, a lot of people do not use the landfill so they do not segregate who uses the landfill versus who doesn't; he feels street lights are important to the Community and that they benefit everybody. Supervisor Geraghty said it is what ever the people would like them to do and what ever the Board feels is proper.

Councilwoman Marcella asked if there were plans for an expansion or for those who want lights on their street or is it that you have to come to Town to see the lights.

Councilman Alexander said that he did not think it was possible to put lights every where in the Town of Warrensburg, a lot of people live out in the boundaries for that reason, and, they like it, other people choose to live in the Hamlet because they want to be in the water district and sewer and whatever other districts they wish to be in. Councilman Alexander said he did not feel it was possible to ask or expect that the Town is going to put lights on everybody's property.

Councilwoman Marcella asked if the Town received a petition from the residents of a street requesting a street light if the town would put one there.

Supervisor Geraghty said that is a Board decision, it does cost money for every light put up, and, everybody would share the cost of that light; tonight they are gathering information from the public, and, he did not see a lot of public here with an opinion, no one was stepping up to talk.

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Sandi Parisi, Rte 418-asked if she understood the lighting district does come out to Hickory Hill Road.

Supervisor Geraghty responded they would see the lighting district tax on their property tax bill if they are in the lighting district.

Teresa Whalen- told the Town Board a neighbor on Harrington Hill requested a street light and got one.

Thomas Birkholtz-spoke in favor of putting the street lighting into the general fund.

Councilman Alexander-spoke in favor of putting the street lighting into the general fund.

Supervisor Geraghty left the informational hearing open and moved on with other business.

RESOLUTION #48-12 MINUTES

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

RESOLVED, that the minutes of January 11th, 2012 and January 30th, 2012 be approved.

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.

INFORMATIONAL HEARING

No one else wished to comment.

RESOLUTION #49-12 CLOSE INFORMATIONAL HEARING

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

IT IS RESOLVED, to close the informational hearing on the street lighting district proposal and return to regular session of the Town Board. Time 7:16 p.m.

DISCUSSION – STREET LIGHTING PROPOSAL

Supervisor Geraghty opened discussion saying the Town Board will discuss the proposal on Street Lighting at the March meeting, and, the Town Board would appreciate any feed back received from the public, either in email, letter writing or phone calls. Supervisor Geraghty said they will try and decide next month, and, the Town should have some legal opinions from the Attorney next month.

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COMMITTEE REPORTS

Committee reports were given from the following: Highway, Historian, Museum, Parks and Rec., Sewer and Water.

DISCUSSION – ZONING REVISION UPDATE PRESENTATION

Supervisor Geraghty introduced Chris Belden, Code Enforcement/Zoning Officer. Mr. Belden introduced Jackie Hackes from Elan Planning and Design and her associate and legal council for Elan, Forest Howard, known as Tig.

Ms. Hackes gave a presentation to the Town Board on the revised draft Comprehensive Plan and the revised draft Zoning Ordinance and Zoning Map.

Supervisor Geraghty asked if there were any questions for Ms. Hackes at this time, and, explained there will be public hearings, the reports are available on line and in the Town Clerks Office.

Ms. Hackes explained the process for the adoption process and the multiple steps, including the SEQRA, State Environmental Quality Review Act is complied with, it involves public hearings and one of the first steps for the SEQRA process is to declare the Town Board's intent to be Lead Agency and that starts a time frame, within which the other involved agencies, which in this case is NY State Department of State because they are the funding agency for this process, that will start a time clock so they can do their review.

RESOLUTION #50-12

DECLARE LEAD AGENCY STATUS FOR ZONING

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

RESOLUTION #51-12

SCHEDULE PUBLIC HEARING FOR DRAFT ZONING ORDINANCE

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

IT IS RESOLVED, to schedule a public hearing for Wednesday, March 7, 2012 at 7:00 p.m., and to continue the public hearing to the regular meeting of the Town Board to be held on Wednesday, March 14, 2012 at 7:00 p.m. to discuss the proposed draft Zoning Ordinance, and, authorizing the Town Clerk to advertise the public hearing notice in the legal section of the Glens Falls Post Star.

RESOLUTION #52-12

ESTABLISH CAPITAL PROJECT H-43 TITLED HIGHWAY TRUCK

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

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IT IS RESOLVED, to establish a capital project for the 2012 Highway Truck purchased by the Warrensburg Highway Department for \$169,767.00.

RESOLUTION #53-12

CREATE A CAPITAL PROJECT H-42 FOR ALDEN AVENUE

On motion of Councilwoman Reed, seconded by Councilwoman Marcella, the following resolution was ADOPTED – VOTE – AYES 5 NAYS 0

IT IS RESOLVED, to create capital project H-42, for \$40,000.00 from a 5 year bond funding.

RESOLUTION #54-12

AUTHORIZE SUPERVISOR TO ATTEND APA LOCAL GOVERNMENT DAY

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

IT IS RESOLVED, to authorize the Supervisor, Kevin Geraghty, to attend the APA Local Government Day on March 20th and March 22, 2012 in Lake Placid.

DISCUSSION – BOARD OF ASSESSMENT REVIEW

Supervisor Geraghty told the Town Board he had received a communication from Joseph Barlow for Board of Assessment Review, the Town has a couple of applications for the Board and they will keep them on file because there is currently no vacancy.

DISCUSSION – DEC DETERMINATION

Supervisor Geraghty told the Town Board he has received information that the DEC has determined that the Town of Warrensburg does not have to do any more remediation on the site on Richards Ave, Econoquick Car Wash Site, the process is for the DEC to have a public availability session on Tuesday, February 21, 2012 from 10 am to Noon at the DEC Warrensburg. Supervisor Geraghty said this is good news for the Town, it will allow the Town to do something with the property.

Discussion ensued on the status of the property and the liens against it, and, specifics that the Town Attorneys will have to work out.

DISCUSSION – PAPERMILL PROPERTY

Supervisor Geraghty told the Town Board the Town has temporary ownership of that property and is trying to gain full ownership, the Town Attorney and the County Attorney are working together on it, the property should be turned over to the Town of Warrensburg in the near future for the development of a park.

DISCUSSION – PAYLOADER TRADE IN

Councilman Rounds opened discussion telling the Town Board the Highway Superintendent had received an offer to trade the Pay loader the Town purchased last year

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for a new loader this year for zero dollars for another brand new loader from Nortrex, the supplier of John Deere equipment.

RESOLUTION #55-12

AUTHORIZE TRADE IN FOR NEW 2012 JOHN DEERE 624K LOADER

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

IT IS RESOLVED, to authorize the Highway Superintendent to trade the 2011 John Deere 624K loader for a new 2012 John Deere 624K equipped with enclosed cab with heater and air conditioning, 3.5 cubic yard heavy duty bucket, automatic ride control, 20.5R-25 radial tires, rotating safety beacon, am/fm radio, engine block heater, including delivery and trade in for a zero percent cost to the Town from Nortrex that qualifies under New York State Office of General Services contract group #40603-award #22063.

RESOLUTION #56-12

WARRANTY PACKAGE FOR NEW LOADER

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

IT IS RESOLVED, to authorize the purchase of an extended warranty for the 2012 Loader for three years up to 2000 hours for \$1970.00.

DISCUSSION – DRAFT AGREEMENT FOR THE TRAILS

Supervisor Geraghty told the Town Board he is in possession of the draft agreement for the trails between the School and the Town with comments from the Attorney, the Attorney has suggested a few changes, the Town Board will have discussion at a later meeting.

DISCUSSION – TOWN BILLS

Councilwoman Marcella opened discussion telling the Town Board she had reviewed all of the warrants, she would like to ask all Department Heads to make sure someone signs every invoice that comes in to show receipt of whatever it was and to have some documentation attached to the invoice and the warrant for larger purchases.

RESOLUTION #57-12

PAY BILLS

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

IT IS RESOLVED, to pay the bills as outlined on Abstract #2 in the town:

General fund	\$111,984.09
Highway fund	\$ 56,632.48
Sewer fund	\$ 8,516.71

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Water fund	\$ 10,715.20
Lighting	\$ 7,128.32
H34	\$169,767.00

PRIVILEGE OF THE FLOOR

Clara Bates – asked questions about the Hamlet lines.

Jane LeCount-commented on Blister Hill.

Teresa Whalen-commented on Community Gardens

Ruth Fruda – asked about site in Town for Senior living.

Steve Parisi – asked for public recognition of Jane LeCount for her founding of the Worlds Largest Garage Sale.

Councilwoman Marcella – gave a website committee update, telling the Town Board the Committee has received some inspiring quotes.

On motion of Councilman Alexander, seconded by Councilwoman Reed, the meeting was adjourned at 7:56 p.m.

Respectfully submitted,

Donna A. Combs, Town Clerk