

**REGULAR MEETING, WARRENSBURG TOWN BOARD, AUGUST 12, 2015**

The regular meeting of the Warrensburg Town Board was held on Wednesday, August 12, 2015 at the Albert Emerson Town Hall at 7:00 p.m. with the following members present:

<b>PRESENT:</b>	Supervisor	Kevin B. Geraghty
	Councilperson	Bryan Rounds
	Councilperson	Joyce Reed
	Councilperson	John Alexander
	Councilperson	Linda Baker-Marcella

**OTHERS PRESENT:** Donna A. Combs, Town Clerk; Robert Hafner, Town Attorney; Steve Parisi, Warrensburg Museum; Sandi Parisi, Town Historian; Ben Thomas, NYS DEC; Robert Ripp, NYS DEC and numerous Town residents.

**RESOLUTION #123-15**

**MOVE TO SCHEDULED PUBLIC HEARING**

On a motion of Councilperson Reed, seconded by Councilperson Alexander, the following resolution was

**ADOPTED AYES 5** Geraghty, Reed, Alexander, Baker-Marcella, Rounds  
**NAYS 0**

**RESOLVED**, that this meeting be interrupted to hold a Public Hearing advertised and scheduled for this evening at 7:00 p.m.

**PUBLIC HEARING-LOCAL LAW #1-2015-REPEALING LOCAL LAW #1 OF 1990 AND DELETING TOWN CODE CHAPTER 57 CONSTITUING TOWN'S PREVIOUS SMOKING POLICY**

Supervisor Geraghty declared the public hearing open at 7:00 p.m.

Following the distribution of the proposed Local Law by email in July of 2015, Notice of Said Public Hearing was duly published in the Glens Falls Post Star on July 29, 2015, with same being posted on the same date at the Town Hall.

Town Clerk Combs read the Notice of Public Hearing for the record.

No one wished to comment.

Supervisor Geraghty called for a recess of the public hearing.

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**PRIVELAGE OF THE FLOOR-NYS DEC**

Ben Thomas and Robert Ripp were present from DEC and spoke to the Town Board about a project they would like to initiate in the Hudson River Rec. Area to re-establish a lot of the facilities that have been degraded and destroyed over time through natural disasters; Hurricane Irene and Hurricane Sandy, and through vandalism, motor vehicle use and things of that nature. Mr. Thomas told the Town

Board that early in the 2000's there were 88 compliant camp sites and water access sites and they would like to re-establish these. Mr. Thomas said they are fearful with the current motor vehicle use and vandalism in the area, the facilities maybe destroyed again. Mr. Thomas told the Town Board this is going to be a two or three phase project with phase one delineating parking areas, blocking off roadside access points for illegal motor vehicle use on the forest preserve and re-designating a few campsites and bringing them into ADA universal compliance. Mr. Thomas said with that there will be the installation of a significant amount of boulders and/or logs to delineate parking areas to establish facilities and designate where people should and should not be driving. Mr. Thomas said the next phase would be re-establishing some roads, re-establishing some water access points and re-opening the road up through Chamberlain Farm and establishing additional sites up there. Mr. Thomas told the Town Board they would like Town of Warrensburg support when they do this, there maybe some negative publicity and a misconception of them blocking access when in fact they are preventing illegal motorized vehicle access to increase public access.

Supervisor Geraghty said that was his question because he did know the Town has had this conversation about ADA access to the campsites. Supervisor Geraghty asked if this would be open to the handicap and allow them to drive into the site, basically. Mr. Thomas told the Supervisor yes, the designated sites. Supervisor Geraghty said he hoped there would not be the battle with the boulders and win the rocks, hopefully. Mr. Thomas said a lot of these sites that are supposed to be compliant are not right now, a lot of it is due to ATV and Jeep use on the property, reestablishing some boundaries will allow them to rehab these facilities and open them back up for universal access.

Councilperson Alexander asked how many sites they are guessing they will be rehabbing before they are all done. Mr. Thomas said right now there are twenty five different facilities, including campsites, parking areas, accessible paths, picnic areas and there will be additional sites in the upcoming years.

Councilperson Baker-Marcella asked what geographical area they were talking about. Mr. Thomas told the Town Board this will cover the entire Hudson River Rec. Area from Sofield Flats north to the River Road and Gay Pond Road.

Supervisor Geraghty explained it is right across the road from Thousand Acres and said you access this from River Road in Luzerne.

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Councilperson Baker-Marcella asked that the Town Board be provided with something in writing on what they are proposing. Councilperson Baker-Marcella said she would like to see the proposal before having to say yes or no.

Councilperson Reed asked if there was any snowmobile access through there. Mr. Thomas said that the Gay Pond Road and the River Road are open to snowmobiling and will continue to be so.

Supervisor Geraghty said it would be nice if the Town could receive a drawing of what is proposed. Supervisor Geraghty asked when the DEC would like to start on this project. Mr. Thomas said they hope to start early this fall.

Councilperson Baker-Marcella asked Mr. Thomas who they were proposing this to and who's permission they have to get. Mr. Thomas said they have to go through several layers, APA and DEC, to receive full permission to do this.

Supervisor Geraghty said the Town Board would be in touch.

#### **RESOLUTION #124-15**

#### **CLOSE PUBLIC HEARING**

On motion of Councilperson Baker-Marcella, seconded by Councilperson Reed, the following resolution was

**ADOPTED AYES 5 Alexander, Rounds, Geraghty, Reed, Baker-Marcella**  
**NAYS 0**

**IT IS RESOLVED**, to close the public hearing at 7:09 p.m. and to reconvene to the regular meeting.

#### **RESOLUTION #125-15**

#### **MINUTES**

On motion of Councilperson Reed, seconded by Councilperson Alexander, the following resolution was **ADOPTED**

**AYES 5 Geraghty, Rounds, Reed, Alexander, Baker-Marcella**  
**NAYS 0**

**RESOLVED**, that the minutes of July 8, 2015 and July 29, 2015 be accepted.

#### **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, Landfill, Lighting, Parks and Rec., Sewer, Water, Historian, Museum, and Youth.

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#### **COMMUNICATIONS**

- 1) A letter from Bryan Smead, Town Health Officer regarding a property located at 59 Hickory Hill Road.
- 2) A letter from the Adirondack Folk School in Lake Luzerne.
- 3) A letter from the Preservation League of New York State stating that there is no funding for the Historic Structure Report for the Miles Thomas House.
- 4) A letter from Kim Hotaling to tie teal ribbons on Town Property Trees to create Ovarian Cancer awareness.

#### **COMMITTEE REPORTS DISCUSSION**

Beautification - no formal report this month, they will submit combined report in September. Youth Works has been here for 8 weeks working all over town.

Historical Society- Thanks for the support of their Stickey Wicket Fundraiser, this year exceeded all previous incomes.

Museum- entertained the Summer Youth Program on several occasions.

Youth - special thanks to PT Pizza for donations to the Summer Youth Program.

**Mike Ferrone, Program Director has done a wonderful job and was well received, Counselors and kids were excellent.**

**Youth Football Team thanks the Town for going above and beyond for the use of the actual football field for their home games.**

**Historian - Tom Belden found an old map and it was given to the Town Historian to archive, it is believed it is the water lines. Prospect Street is not on the map.**

**DISCUSSION - 59 HICKORY HILL ROAD**

**Supervisor Geraghty opened discussion telling the Town Board they have information in their meeting packet tonight regarding 59 Hickory Hill Road from the Town Attorney telling them how to move forward. Supervisor Geraghty asked the Town Board if they wished to have more time to review before proceeding.**

**RESOLUTION #126-15**

**PROCEED WITH PROCEDURE ON 59 HICKORY HILL ROAD**

**On motion of Councilperson Reed, seconded by Councilperson Baker-Marcella, the attached resolution was**

**ADOPTED AYES 5 Alexander, Rounds, Geraghty, Reed, Baker-Marcella  
NAYS 0**

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**DISCUSSION - PROCEDURE ON 59 HICKORY HILL ROAD**

**Steven Parisi asked if the Town residents could know the procedure that is going to occur for 59 Hickory Hill Road.**

**Town Attorney Hafner - explained the Town Health Officer has found a property that is a danger to the public, it is littered with cat feces and soaked with cat urine, and squatters, the house is a health hazard. Mr. Hafner said the Town Board has authority to act as the Public Health Board and take action to save lives, however, we are talking about going onto private peoples' property and there are constitutional issues with government going on private property unless there is an immediate health issue so they recommend the Town Board follow a process of putting people on notice and going to court to get authority to remedy the problem and to put a lien against the property. Mr. Hafner told the Town Board it appears the property owner is deceased, it is unclear who is in charge or if they know very much about it so it would put the Town in a bad place if we do not follow the process, reach out and find out about the estate, try and find some family member and put them on notice that if they do not find someone the Town will go forward with court process. Mr. Hafner said he understood the Town Board's process to be to follow the Attorney's recommendations in the Memorandum the Attorney did to them. Attorney Hafner said they will talk with Chris, they will talk with the Assessor to see who has been paying the tax bills. Mr. Hafner said they will obtain permission from the Supreme Court to remove the squatters from the property.**

**Steven Parisi- said that this property was adjacent to his property that he stills own and he does know a lot of details about this property. Mr. Parisi said he also understood there was a woman who was very interested in purchasing.**

**Mr. Hafner told Mr. Parisi the Town would not be owning the property through this process but we assume if we go through the process we will end up with a lien against the property which will be like a tax lien. Mr. Hafner told Mr. Parisi that if he had information to let either the Supervisor or Chris know.**

**Supervisor Geraghty said he was familiar, the lady appeared at the last chance meeting and had some discussion with Martin on the property, but she does not own it and does not have power of attorney.**

**Mr. Hafner said step one of the process is to find out who actually owns the property, to see what the process is and he now has clear direction and he will move forward.**

#### **DISCUSSION - BID FOR ROOF AND WINDOW PROJECT**

**Councilperson Baker-Marcella said that at the last meeting, the Town only had one bidder and none of the Board had any experience with that bidder so the Town  
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**Board asked that Cedarwood, the Town's Engineers, do a reference check and work check on them. Councilperson Baker-Marcella said she would like the information the Town Board got back from Cedarwood submitted into the minutes.**

**Councilperson Baker-Marcella read portions of the document received from Cedarwood Engineering. A copy of that correspondence was placed on file in the Town Clerk's Office.**

#### **RESOLUTION #127-15**

##### **AWARD BID FOR ROOF AND WINDOW PROJECT FOR TOWN HALL**

**On motion of Councilperson Alexander, seconded by Councilperson Rounds, the attached resolution was**

**ADOPTED AYES 5 Alexander, Rounds, Geraghty, Reed, Baker-Marcella  
NAYS 0**

#### **DISCUSSION - ADIRONDACK DEVELOPERS AND BUILDINGS INC. BID**

**Councilperson Baker-Marcella said that she had noticed when she was reviewing their paperwork and Notice of Award that it was crossed out that a certificate of insurance had to be delivered and she was asking why, she has not received that answer back.**

**Supervisor Geraghty told Councilperson Baker-Marcella before anything was signed the Town Attorney would review all of the documents with them.**

**Councilperson Reed said that just so the public knew, the original bid price received was \$116,870.00, and, through Tom Suzzo, our Engineer and Kevin the bid is now down to \$103,570.00.**

#### **RESOLUTION #128-15**

##### **ADOPT LOCAL LAW #1 OF 2015**

**On motion of Councilperson Alexander, seconded by Councilperson Reed, the attached resolution was**

**ADOPTED AYES 5 Alexander, Rounds, Geraghty, Reed, Baker-Marcella  
NAYS 0**

**ANNOUNCEMENT**

**Supervisor Geraghty announced the Town auction items were sold for \$4,690.00 from the Fire Company at the Smoke Eaters Jamboree.**

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**AWARD \$100.00 OCCUPANCY TAX MONEY TO COUNTY TOWN HIGHWAY SUPERINTENDENTS ASSOCIATION**

**On motion of Councilperson Reed, seconded by Councilperson Baker-Marcella, the following resolution was**

**ADOPTED AYES 5 Alexander, Rounds, Geraghty, Reed, Baker-Marcella  
NAYS 0**

**IT IS RESOLVED, to award \$100.00 to the Warren County Town Highway Superintendents Association for an ad in their annual banquet booklet.**

**RESOLUTION #130-15**

**AWARD OCCUPANCY TAX MONEY TO WARRENSBURG VOLUTEER FIRE COMPANY**

**On motion of Councilperson Reed, seconded by Councilperson Alexander, the following resolution was**

**ADOPTED AYES 4 Alexander, Rounds, Reed, Baker-Marcella  
NAYS 0  
ABSTAIN 1 Geraghty**

**IT IS RESOLVED, to award the Warrensburg Volunteer Fire Company \$6,581.40 for advertising and general expenses for their annual Smoke Eaters Jamboree held on July 25th and July 26th, 2015.**

**DISCUSSION - LIQUOR LICENSE NOTICE OF APPLICATION**

**Supervisor Geraghty opened discussion explaining the Town has received a new liquor license application for Spirits, 222 River Street, Warrensburg, NY with the owner listed as Robert Neuweiler. Supervisor Geraghty told the Town Board that was for information only.**

**RESOLUTION #131-15**

**REFUND WATER FEES TO LAKE GEORGE RIVERVIEW CAMPGROUND**

**On motion of Councilperson Reed, seconded by Councilperson Alexander, the following resolution was**

**ADOPTED AYES 5 Alexander, Rounds, Geraghty, Reed, Baker-Marcella  
NAYS 0**

**IT IS RESOLVED, to refund \$3,525.00 to Michael Spaulding for being an overcharge for Water.**

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**RESOLUTION #132-15  
BUDGET TRANSFERS**

**On motion of Councilperson Reed, seconded by Councilperson Rounds, the attached resolution was**

**ADOPTED AYES 5 Alexander, Rounds, Geraghty, Reed, Baker-Marcella  
NAYS 0**

**RESOLUTION #133-15  
PAY BILLS**

**On motion of Councilperson Baker-Marcella, seconded by Councilperson Alexander, the following resolution was**

**ADOPTED AYES 5 Alexander, Rounds, Geraghty, Reed, Baker-Marcella  
NAYS 0**

IT IS RESOLVED, to pay the warrants as outlined on Abstract #8-2015 in the following: General Fund - \$42,390.80; Highway Fund-\$7,365.33, Sewer Fund-\$11,729.82; Water Fund-\$106,257.73; Country Side Adult Home Sewer Capital - 2,190.00; Safe Routes to School Sidewalks Capital - \$4,872.00; Brownfield Paper Mill Park Capital-\$189.41; Floyd Bennett Memorial Bandstand Capital-\$61,279.90 and Lighting District - \$5,364.72.

**PRIVELAGE OF THE FLOOR-PUBLIC CONCERNS**

Charles Fittapoldi, Lake Avenue-spoke to the Town Board regarding issues with Counselors from Camp Echo Lake being at the Beach Playground, the fact that there is no sign at the Echo Lake Beach that says no dogs allowed and the weeds in front of Hudson Headwaters Health Center.

On motion of Councilperson Baker-Marcella, seconded by Councilperson Reed, the meeting was adjourned at 7:48 p.m.

Respectfully submitted,

Donna A. Combs, RMC/CMC  
Warrensburg Town Clerk