

SPECIAL MEETING, WARRENSBURG TOWN BOARD, JUNE 24, 2016

A special meeting of the Warrensburg Town Board was held on Friday, June 24, 2016 at the Albert Emerson Town Hall at 8:30 a.m. with the following members present:

PRESENT:	Supervisor	Kevin B. Geraghty
	Councilperson	John Alexander
	Councilperson	Linda Baker Marcella
	Councilperson	Joyce Reed
	Councilperson	Bryan Rounds

OTHERS PRESENT: Donna A. Combs, Town Clerk; Robert Hafner, Town Attorney; and Dexter Duell.

DISCUSSION - DECLARE EMERGENCY TO INSTALL WELL #7

Supervisor Geraghty opened discussion explaining that in an email he received from the Town Engineer, it was stated that the ground water table is very low and the table level is about a month ahead of last year. Supervisor Geraghty said one of the older wells shut off a week and a half ago, and we started taking in some air through our system. Supervisor Geraghty said the old well site has been fixed, which pumps approximately 100 and some gallons a minute, and, the other wells are on manual so they can keep the tank on Alden Avenue full at night. Supervisor Geraghty said a sprinkling water ban has also been put into place for two hours and that seems to have rectified the problem. Supervisor Geraghty said they can put another well up there, they have done the reconnaissance on it, they have the site laid out, Tom has been in contact with DOH; we cannot see based on where the water table is and the drought situation that we are going to get better. Supervisor Geraghty said because of those reasons, he would like to declare an emergency. Supervisor Geraghty said we will still get quotes from bidders, this will be turn key operation, they will drill it, we do not have to build a new well house because we are going to pump the water over from this well to our current well house which will handle it and then try to get us out of this situation.

Discussion ensued on the possible cost of the well and the funding. Attorney Hafner told the Town Board they would still follow every rule that they have, pay prevailing wages, get three quotes, do all that they can.

RESOLUTION #84-16

DECLARE STATE OF EMERGENCY FOR WATER

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

AYES 5 Geraghty, Rounds, Reed, Baker-Marcella, Alexander

NAYS 0

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Councilperson Baker-Marcella asked if the Town had an estimate on the cost. Supervisor Geraghty said if the Engineer was here he could give them an estimate.

Attorney Hafner told the Town Board the last time they did a new well they borrowed money to fund it and he just wished to remind them that if they do want to borrow money to do this, and pass a bond resolution, they can only reimburse themselves for expenses up to sixty days before. Attorney Hafner told the Town Board they have sixty days to pass a bond resolution after they start spending money which includes engineering.

DISCUSSION -GALLUP SUBDIVISION

Supervisor Geraghty opened discussion telling the Town Board this subdivision was first put in by Austin Perry and then subsequently other people bought the property and now Lewis Gallup owns the property. Supervisor Geraghty said this is four houses on a subdivision off from Smith Street which will not be developed as a town road, these are lots that the Town Board approved in 1992. Supervisor Geraghty said this will not be a town water system, individual pipes will be run to these four homes by the contractor, there is a map that the contractor has from Gallup which the Planning Board approved in 2008 and the Town Water Superintendent approved it in 2008. Supervisor Geraghty said he believes it is an out of district deal and the Town needs to get out of district water contracts from Lewis Gallup for the four properties.

Attorney Hafner explained the normal thing for out of district contracts is they pay one hundred and fifty percent of what the rates are inside the district, also the ones that have been done for the properties in Lake George, just over the Town border could never be in the Town Water District because they are not located in our Town. Mr. Hafner said what they usually do for out of district contracts within the Town is that they put in a provision that if the Town ever wants to extend the water district to include these properties it would be consented to. Mr. Hafner said that ultimately it is easier to deal with collection when people are in the Water District.

Supervisor Geraghty said that he has an issue with it; he will never accept that as long as he is Supervisor as part of the Water District because the pipe is going to be a small pipe and does not meet our criteria; and if you go to the end of the road its over a thousand feet so it really should have a six-inch line with a hydrant put in there. Supervisor Geraghty said they do not want to do this. Supervisor Geraghty said we will charge them one tap fee, based on our tap fee.

Discussion ensued on how the town collects their water fees when it is out of district contract.

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Councilperson Rounds asked if there is unpaid water if it can be relieved onto their property taxes because the property is in the town. Attorney Hafner said no only if they are in the district, they are out of district.

Councilperson Baker-Marcella asked if there was a maintenance agreement for the shared road or driveway that goes into this between the four properties. Supervisor Geraghty said no, not through the Town of Warrensburg, this does not have any impact on the Town. Attorney Hafner said that he would have thought they would have needed that to have gotten a subdivision. Councilperson Baker-Marcella said she wished to check on that because she has a situation now. Councilperson Rounds explained this was a situation where the Planning Board dragged their feet and the clock for the subdivision ran out. Councilperson Baker-Marcella said since he owns them he could add that to them. Councilperson Baker-Marcella said she has a situation in North Creek with eight lots and it is the same thing. Councilperson Baker-Marcella said this was approved, it is not a town road and no one knows who is responsible to take care of the road so nobody does and it is a horrible mess. Councilperson Baker-Marcella asked if the Town could just require that they have one.

Supervisor Geraghty explained that is part of the Mylar they had to file, this will never be a town road.

Attorney Hafner said he felt what Councilperson Baker-Marcella was asking for was to have the four property owners involved. Attorney Hafner said this is a Planning Board issue, something they would have approved when they approved the subdivision.

Supervisor Geraghty suggested Councilperson Baker-Marcella discuss this with the Zoning Officer.

Supervisor Geraghty told the Town Board that when this was approved in 1992 he instructed that it be put on the Mylar so that when people buy these lots they are going to know that they are building on a non town road.

Discussion ensued on Planning Board requirements, property owner agreements for cost of maintenance, and can it be added. Attorney Hafner said the Planning Board should have done this when it was approved, it is not a Town Board function.

RESOLUTION #85-16

AUTHORIZE OUT OF DISTRICT WATER CONTRACTS FOR GALLUP SUBDIVISION

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

AYES 5 Geraghty, Rounds, Reed, Baker-Marcella, Alexander

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NAYS 0

**Patty Monahan, Town Bookkeeper, entered the meeting at 8:35 a.m.
Tom Suozzo, Town Engineer entered the meeting at 8:45 a.m.**

DISCUSSION - NEW WELL FINANCIAL

Supervisor Geraghty opened discussion asking Mr. Suozzo if he had an estimate on how much the new well is going to cost.

Mr. Suozzo said somewhere between \$75,000 and \$100,000.00

Supervisor Geraghty asked Ms. Monahan if this could be done without borrowing.

Ms. Monahan explained it would make things very tight.

Attorney Hafner will prepare a Bond Resolution for the next Town Board meeting for the Town Board to pass, Mr. Suozzo will give Attorney Hafner the particulars after the bids are received. Mr. Suozzo asked if the Town needed a letter from Cedarwood as a consultant Engineer saying that there is an emergency for this matter.

Supervisor Geraghty told Mr. Suozzo they had discussed his email. Attorney Hafner told Mr. Suozzo he could confirm on public record that it is an emergency nature.

Tom Suozzo, Cedarwood Engineering, said that he feels that this is a dire situation and that every action needs to be taken to move as fast as possible to get another well to supplement the water supply for public safety and providing water to the people.

Mr. Suozzo said that they intend to go out for quotes next Monday.

Attorney Hafner said they would take care of the Bond Resolution at the next Town Board meeting.

Discussion ensued on the Bond amount, cost of the last well, cost of the new well, what is involved in that cost, the procedure that has to be followed to install a new well.

DISCUSSION - 14 OAK STREET PROPERTY

Supervisor Geraghty opened discussion telling the Town Board that 14 Oak Street is a foreclosed property and it is his understanding it is going to be for sale. Supervisor Geraghty said this property neighbors the Town Highway Garage. Discussion ensued.

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RESOLUTION #86-16

EXECUTIVE SESSION FOR PROPERTY BID

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

AYES 5 Geraghty, Rounds, Reed, Baker-Marcella, Alexander

NAYS 0

RESOLVED, that this Board move into an Executive Session at 8:56 a.m. to discuss an amount to bid property the Town wishes to purchase.

RESOLUTION #87-16

RETURN TO REGULAR SESSION

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

AYES 5 Geraghty, Rounds, Reed, Baker-Marcella, Alexander

NAYS 0

RESOLVED, to return to regular session at 9:02 a.m.

RESOLUTION #88-16

PLACE OFFER ON 14 OAK STREET PROPERTY

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

AYES 5 Geraghty, Rounds, Reed, Baker-Marcella, Alexander

NAYS 0

IT IS RESOLVED, to submit an offer to purchase the property on 14 Oak Street.

DISCUSSION BOAT LAUNCH AREA AT ECHO LAKE

Councilperson Alexander opened discussion explaining grant money that was spent to enhance the boat launch area has really taken off and for some reason is not just a boat launch, it has turned into a public beach with some ill effects. Councilperson Alexander said the Town's signs do not say no swimming and the Town Board needs to address that. Councilperson Alexander said that Dexter will get some signs made; Councilperson Alexander is proposing that we treat this area the same as we treat our beach which is for Town of Warrensburg Residents only. Councilperson Alexander said we are having a lot of people who are coming from who knows where and park their cars just as close to that water as they can get and using tobacco and alcohol, all of these things we already have signs for. Councilperson Alexander said they are abusing our enhancements and it is just not right, he did not know if there is anything to do with the neighbors on either side or not but these things need to be addressed with more signage. Councilperson Alexander said Dexter is having our guys stop in there at the end of the day to police the areas

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before they go home for the day. Councilperson Alexander said he feels his proposal for more signage should take care of the problem.

Councilperson Baker-Marcella asked if we own that property and Councilperson Alexander confirmed that we do. Councilperson Alexander suggested it be visited if they have not been down there and said there is new parking, benches, tables, dog stations that are not being utilized, it is sad that it has turned into an area that should not be.

Councilperson Rounds said the Town needs to cover its bases.

Councilperson Baker-Marcella stated that the properties around there have deeded rights to use that and asked if that meant they only have the right to launch boats from there. Councilperson Alexander said that was their intention. Supervisor Geraghty said that was wrong, this is a town owned property and that they do not have the rights to Town owned property. Supervisor Geraghty said there is a different passage way next to Murray's; they have the right to go through that passage way to the lake, this is totally different. Councilperson Alexander said not on our Town property, Supervisor Geraghty confirmed.

DISCUSSION - WATER BAN

Supervisor Geraghty opened discussion updating the Town Board to let them know this is the third morning in a row the Town employees have been out telling people about the sprinkling ban; it has to be 7 to 9 p.m. in order for us to manage it. Supervisor Geraghty said most people have been very good, he has had some calls and they are not wavering with the time of 7 to 9 p.m. because if you let some people do it at a different time other's want to do it that way to. Supervisor Geraghty said that starting today they are all done telling people; they are going to start issuing notices of fines because some people still continue. Supervisor Geraghty said he told Chris to start sending out notices after today.

Councilperson Baker-Marcella said she did this in writing just for her own clarification because she has a well. Councilperson Baker-Marcella said people can water anytime with a hose but in ground sprinklers and hose hooked sprinklers can only be used 7:00 to 9:00 p.m.

DISCUSSION- LANDFILL FEE COMPLAINT

Supervisor Geraghty told the Town Board there has been one written complaint on the landfill fee increase and he had one person stop in and complain and once he explained the purpose they were good with it.

Discussion ensued on how to explain the landfill fee schedule increase.

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On motion of Councilperson Alexander, seconded by Councilperson Rounds, the meeting was adjourned at 9:09 a.m.

Respectfully submitted,

Donna A. Combs, Town Clerk