

**MINUTES  
TOWN OF WARRENSBURG  
REGULAR TOWN BOARD MEETING  
OCTOBER 11, 2023 - 7:00 P.M.  
at Albert Emerson Town Hall**

**THIS MEETING WAS HELD VIA YOUTUBE INTERNET BROADCAST AND OPEN TO THE PUBLIC. THE YOUTUBE LINK CAN BE FOUND ON THE TOWN WEBSITE.**

**PRESENT:**

Supervisor	Kevin Geraghty
Councilperson	John Alexander
Councilperson	Bryan Rounds
Councilperson	Richard Larkin

**OTHERS PRESENT:** Pamela Lloyd, Town Clerk; Dani Oliver, Supervisors Secretary; Joyce Reed, Water/Sewer Clerk; Jim Hull, Code Enforcement; Teresa Whalen, Beautification; Laura Moore, Museum; and **Several Public Attendees, Sign in sheet available for review at the Town Clerks office.**

**Meeting was called to order by Supervisor Kevin Geraghty at 7:00 p.m. and to the Salute to the Flag.**

**APPROVE MINUTES OF TOWN BOARD MEETINGS HELD ON SEPTEMBER 13, 2023**

**RESOLUTION # 123-2023**

**INTRODUCED BY:** Councilperson Bryan Rounds  
**WHO MOVED ITS ADOPTION**

**SECONDED BY:** Councilperson John Alexander

**RESOLVED,** to approve the Minutes of the Town Board Meeting held on September 13, 2023.

**RESOLUTION DULY ADOPTED OCTOBER 11, 2023 BY THE FOLLOWING VOTES:**

**AYES:** Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin

**NAYS:** None

**RE-OPEN PUBLIC HEARING THAT WAS TABLED AT THE SEPTEMBER MEETING ON:**

**Public Hearing on a Proposed Local Law to Amend Certain Provisions of Chapter 211 of the Town Code entitled “Zoning”. It pertains to Warrensburg Town Code to add the keeping and raising of fowl as a use accessory to residential and agricultural uses in all zoning districts and to authorize enforcement by Code Enforcement Officer.**

**PUBLIC COMMENTS:**

**Supervisor Geraghty gave a synopsis of what happened at the September 13, 2023 Public Hearing Meeting** – he stated there was a few people that spoke out about the language in the Local Law about how many Fowl (Chickens) you could have on the property and concerns about being in the in or outside the hamlet. This Law mainly pertain to inside the hamlet and the focus of the Law is to have people who have chickens to keep them confined to their own property. There was some revision made to the Zoning Amendment that states no Roosters within the hamlet and the proposed limit of chickens was changed from 6 chickens to no limit.

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**Kathy Varney, 2 Sanford Street** – Stated she don't have a problem with the number of chickens allowed although in time you want to consider how many chickens you want living next to you. Their problem is that even though they have a fence dividing the yard they still have chickens coming over and causing issues in the yard. With a Local Law and allowing the Code Enforcement to be able to act on complaints will be a help in controlling this issue.

**Each Board Member Spoke:** They all agreed with the changes to the Local Law and Zoning Amendments.

### **SUPERVISOR GERAGHTY CLOSED THE PUBLIC HEARING @ 7:05 PM**

#### **REPORTS OF TOWN OFFICIALS:**

The Town Officials reports were received and read by the following: Town Clerk – Pamela Lloyd; Supervisor – Kevin Geraghty; Assessor, Justice - John Alexander; No Dog Report; Planning Department - Bryan Rounds; Code Enforcement Officer – Jim Hull.

#### **REPORTS OF COMMITTEES:**

The Committee Reports were received and read by the following: Beautification – Teresa Whalen; Highway – Bryan Rounds; Economic Development – Richard Larkin; Landfill – John Alexander; Lighting – Kevin Geraghty; Historian/Museum – Sandi Parisi/Kevin Geraghty; Parks/Recreation – Kevin Geraghty; Sewer/Water – John Alexander;

#### **COMMUNICATIONS:**

Notification to Municipality, OCM form 06009 was received from attorneys of the Mileva, LLC that they are applying for a license with NYS Office of Cannabis Management to open an adult use retail dispensary at 3873 Main Street.

#### **OLD BUSINESS:**

World's Largest Garage Sale was considered another success. Supervisor Geraghty Thanked all the town employees, Chamber of Commerce, and the Sheriff's Department for the extra patrol cars which helped to make the garage sale a success and uneventful.

#### **NEW BUSINESS:**

### **REQUEST TO SET PUBLIC HEARING ON THE 2024 PRELIMINARY BUDGET**

#### **RESOLUTION #124-2023**

**INTRODUCED BY:** Councilperson John Alexander

**WHO MOVED ITS ADOPTION**

**SECONDED BY:** Councilperson Bryan Rounds

**WHEREAS,** the Warrensburg Town Board request to schedule the Public Hearing on the 2024 Preliminary Budget for October 19, 2023 at 4:00 pm.

**NOW, THEREFORE, BE IT**

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**RESOLVED**, that the Town Board of Warrensburg hereby approved to schedule Public Hearing to review the Preliminary Budget.

**RESOLUTION DULY ADOPTED OCTOBER 11, 2023 BY THE FOLLOWING VOTES:**

**AYES:   4        NAYS:   0        ABSENT:   0**

**AYES: Supervisor Geraghty, Councilpersons Alexander, Rounds, Larkin**

**REQUEST FOR WARRENSBURG TOWN COURT TO APPLY FOR A JCAP GRANT**

**RESOLUTION #125-2023**

**INTRODUCED BY:** Councilperson Richard Larkin

**WHO MOVED ITS ADOPTION**

**SECONDED BY:** Councilperson John Alexander

**WHEREAS**, the Warrensburg Town Board received a request from the Warrensburg Town Court to apply for a Justice Court Assistance Program (JCAP) Grant in the amount not to exceed \$30,000.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Warrensburg Town Board hereby approved the request from the Warrensburg Town Court to apply for a (JCAP) Grant not to exceed \$30,000.

**RESOLUTION DULY ADOPTED OCTOBER 11, 2023 BY THE FOLLOWING VOTES:**

**AYES:   4        NAYS:   0        ABSENT:   0**

**AYES: Supervisor Geraghty, Councilpersons Alexander, Rounds, Larkin**

**RESOLUTION SCHEDULING PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 3 OF 2023 ABOLISHING THE CONSTABULARY DEPARTMENT**

**RESOLUTION #126-2023**

**INTRODUCED BY:** Councilperson Richard Larkin

**WHO MOVED ITS ADOPTION**

**SECONDED BY:** Councilperson John Alexander

**WHEREAS**, the Town Board wishes to consider adoption of proposed Local Law No.: 3 of 2023 entitled, "Abolition of the Warrensburg Constabulary Department Law", which Local Law would abolish the Constabulary Department; and

**WHEREAS**, adoption of this Local Law is authorized by New York Municipal Home Rule Law §10; and

**WHEREAS**, Municipal Home Rule Law §20 requires the Town Board to hold a Public Hearing prior to the adoption of any Local Law,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Warrensburg Town Board shall meet and hold a Public Hearing at the Emerson Memorial Town Hall, 3797 Main Street, Warrensburg, New York, beginning at 7:10 p.m. on Wednesday, November 8, 2023 to hear all interested persons and take any necessary action provided by law concerning proposed Local Law No. 3 of 2023, and be it

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**FURTHER RESOLVED**, that the Town Board authorizes and directs the Warrensburg Town Clerk to publish and post a Notice of Public Hearing concerning proposed Local Law No. 3 of 2023 in the manner provided by law and to make a copy of the proposed Local Law available for public inspection in the Town Clerk’s office and also on the Town’s website following the adoption of this Resolution and until the Public Hearing is closed.

**RESOLUTION DULY ADOPTED ON OCTOBER 11, 2023 BY THE FOLLOW VOTES:**

**AYES:   4        NAYS:   0        ABSENT:   0**

**AYES: Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin**

2023 Fall Brush and Leaves Cleanup is Monday October 16<sup>th</sup> – October 20<sup>th</sup> and October 23<sup>rd</sup> thru October 27<sup>th</sup>. Times are 6:30 a.m. to 3:00 p.m. daily.

Note: Hydrant flushing will begin on October 10<sup>th</sup> thru October 20<sup>th</sup>. If you experience discoloration of your water, please contact the water department or Town Clerk’s Office.

Discussion on recommendations from the Planning, Zoning and Code Enforcement Offices to make amendments to the Town Sign Codes.

**Per Supervisor Geraghty this Discussion will be moved to the November Board Meeting.**

After recent discussions with National Grid I would like to move ahead with having National Grid install LED light to our current fixtures. We do expect to have annual savings on our Lighting District expenses. **Per Supervisor Geraghty they will have more discussion and do a Resolution at the Special Meeting for the Budget Public Hearing on October 19<sup>th</sup>.**

**RESOLUTION ADOPTING LOCAL LAW NO.: 2 OF 2023 AMENDING CHAPTER 211 TO PERMIT THE KEEPING AND RAISING OF FOWL AND AUTHORIZING ENFORCEMENT BY CODE ENFORCEMENT OFFICER**

**RESOLUTION #127-2023**

**INTRODUCED BY:** Councilperson John Alexander  
**WHO MOVED ITS ADOPTION**

**SECONDED BY:** Councilperson Bryan Rounds

**WHEREAS**, the Town of Warrensburg recognizes that the keeping of fowl has historically been an ordinary part of life in the community and wishes to restore such use; and

**WHEREAS**, the Town Board wishes to establish certain standards and conditions for the keeping of fowl; and

**WHEREAS**, to facilitate these goals, the Town Board has considered Local Law No. **2 of 2023** which, if adopted would classify the keeping of fowl as a use accessory to certain lawful residential and agricultural uses; and

**WHEREAS**, the proposed Local Law was referred to the County Planning Board pursuant to General Municipal Law Section 239-m and the County has since issued a determination that there will be no County-wide or intercommunity impacts as a result from adoption of the proposed Local Law; and

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**WHEREAS**, Local Law No. 2 of 2023 was filed with the Town Clerk and a Public Hearing was duly scheduled; and

**WHEREAS**, the Town Board opened a Public Hearing on September 13, 2023, concerning Local Law No. 2 of 2023 which, if adopted, would repeal and replace Section 211-16 of Chapter 211 of the Town Code and would further modify Chapter 211, Sections 64, 66 and 67 to ensure that the Code Enforcement Officer has authority to enforce the Town zoning laws; and

**WHEREAS**, at that time, the Town Board heard from all members of the public present that wished to be heard; and

**WHEREAS**, numerous public comments were made concerning the limitations that would be placed on the number of fowl that could be lawfully kept under the Local Law as proposed and the Town Board therefore decided to hold the Public Hearing open to further consider this issue; and

**WHEREAS**, to address those concerns of the public, the Town Board caused the draft Local Law to be revised to omit any limitation on the number of fowl and to make other related corrections and caused the Local Law as revised to be filed in the Town Clerk’s Office; and

**WHEREAS**, the Public Hearing was then continued on October 11, 2023 at which time all members of the community present were given opportunity to comment on the Local Law as revised; and

**WHEREAS**, the Public Hearing was thereafter closed; and

**WHEREAS**, the Town Board has considered all comments made during the Public Hearing and finds that it would be appropriate and desirable to adopt Local Law No. 2 of 2023 as revised,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that adoption of this Local Law No. 2 of 2023 constitutes a Type I Action pursuant to the State Environmental Quality Review Act (SEQRA) for which the Town Board is the only SEQRA Involved Agency; and be it further

**RESOLVED**, that the Town Board caused Part 1 of a Full Environmental Assessment Form (FEAF) to be prepared and further that the Town Board reviewed, considered and answered each relevant question in FEAF Part 2 and found that no moderate to large environmental impacts will occur as a result of adoption of this Local Law; and be it further

**RESOLVED**, that upon the Town Board’s review of all potential impacts considered, the Town Board hereby finds that no significant adverse environmental impacts will result from adoption of Local Law No. 2 of 2023 as revised and the Board hereby adopts a SEQRA Negative Declaration; and be it further

**RESOLVED**, that the Town Board hereby adopts Local Law No. 2 of 2023 as revised; and be it further

**RESOLVED**, that the Town Board authorizes the Town Supervisor, Town Clerk and/or Town Counsel to file Local Law No. 2 of 2023 as revised with the Secretary of State and to take any and all further action necessary to effectuate the purpose of this Resolution, including properly filing the SEQRA Negative Declaration.

**THIS RESOLUTION WAS DULY PUT TO A ROLL CALL VOTE ON OCTOBER 11, 2023, WHICH RESULTED AS FOLLOWS:**

**AYES:   4        NAYS:   0        ABSENT:   0**

**AYES: Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin**

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**APPROVE BUDGET MODIFICATIONS – (1)**

**RESOLUTION #128-2023**

**INTRODUCED BY:** Councilperson Richard Larkin

**WHO MOVED ITS ADOPTION**

**SECONDED BY:** Councilperson John Alexander

**WHEREAS,** the Town of Warrensburg request to approve the Budget Modifications as follows:

**Budget Modifications**

**October 11, 2023**

**GENERAL FUND**

A599	Appropriated Fund Balance	\$ 5,706.79	
A6412.400	Occupancy Tax – Contractual		\$ 5,706.79

**NOW THEREFORE, BE IT**

**RESOLVED,** that the Town Board of Warrensburg hereby approves the Budget Modifications.

**RESOLUTION DULY ADOPTED OCTOBER 11, 2023 BY THE FOLLOWING VOTES:**

**AYES:  4       NAYS:  0       ABSENT:  0**

**AYES:** Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin

**APPROVE BUDGET TRANSFERS – (5)**

**RESOLUTION #129-2023**

**INTRODUCED BY:** Councilperson Richard Larkin

**WHO MOVED ITS ADOPTION**

**SECONDED BY:** Councilperson John Alexander

**WHEREAS,** the Town of Warrensburg request to approve the Budget Transfers as follows:

**Budget Transfers**

**October 11, 2023**

**GENERAL FUND**

A1990.400	Special Items -Contingency	\$ 403.83	
A1410.105	Town Clerk - Health Insur Comp To cover expenses		\$ 403.83

**SEWER DISTRICT**

SS9730.700	BAN Interest	\$ 11,135.00	
SS8120.400	Sanitary Sewers - Contractual	\$ 1,200.00	
SS8120.401	Sanitary Sewers - Electric	\$ 12,350.19	
SS8130.400	Sewage Treatment & Disp		\$ 24,685.19

SS8120.400	Sanitary Sewers - Contractual	\$	1,157.85	
SS8120.200	Sanitary Sewers - Equipment			\$ 1,157.85
	To cover expenses			

**WATER DISTRICT**

SW8340.400	Trans. & Distribution Contractual	\$	2,260.95	
SW8320.110	Source of Supply Over Time			\$ 1,000.00
SW8330.400	Purification -Contractual			\$ 1,260.95
SW8340.400	Trans. & Distribution Contractual	\$	369.53	
SW8320.400	Source of Supply - Contractual			\$ 369.53
	To cover expense			

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Town Board of Warrensburg hereby approves the Budget Transfers.

**RESOLUTION DULY ADOPTED OCTOBER 11, 2023 BY THE FOLLOWING VOTES:**

**AYES:   4        NAYS:   0        ABSENT:   0**

**AYES: Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin**

**REQUEST TO PAY WARRANTS ON ABSTRACT #10-2023**

**RESOLUTION #130-2023**

**ON MOTION OF:** Councilperson John Alexander

**SECONDED BY:** Councilperson Bryan Rounds

**RESOLUTION DULY ADOPTED OCTOBER 11, 2023 BY THE FOLLOWING VOTES:**

**AYES: Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin**

**RESOLVED**, to pay the warrants outlined on **Abstract #10-2023** in the following amounts:

<b>WARRANTS:</b>	<b>Total Claims:</b>	<b>\$351,575.14</b>
	General Fund	\$28,194.17
	Cemetery Fund	\$4,245.09
	Highway Fund	\$10,593.87
	Lighting District	\$7,580.08
	Sewer Fund	\$89,725.03
	Water Fund	\$11,165.18
	Sidewalk Project	\$200,071.72

**THE COMPLETE DISCUSSIONS AND COMMENTS CAN BE VIEWED ON THE YOUTUBE LINK LOCATED ON THE TOWN WEBSITE & FACEBOOK PAGE.**

**MEETING ADJOURN**

On motion of Councilperson John Alexander, the meeting was adjourned at 8:10 pm

**Respectfully Submitted,**

**Pamela M. Lloyd, Town Clerk**