

**MINUTES  
TOWN OF WARRENSBURG  
REGULAR TOWN BOARD MEETING  
MAY 10, 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; Robert Hafner, Town Attorney; Tracy Benoit, Water/Sewer/Parks & Recs Manager; Joyce Reed, Water/Sewer Clerk; Jim Hull, Code Enforcement; Sandi Parisi, Town Historian; Teresa Whalen, Beautification; 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 APRIL 12, 2023**

**RESOLUTION #72-2023**

**INTRODUCED BY:** Councilperson Richard Larkin  
**WHO MOVED ITS ADOPTION**

**SECONDED BY:** Councilperson Bryan Rounds

**RESOLVED,** to approve the Minutes of the Town Board Meeting held on April 12, 2023.

**RESOLUTION DULY ADOPTED MAY 10, 2023 BY THE FOLLOWING VOTES:**

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

**NAYS:** None

**DISCUSSION:**

**Warrensburg Central School Budget Presentation by Jennifer Switzer, Business Manager and Amy Langworthy, Superintendent of Schools.**

**THE COMPLETE 40 MINUTE DISCUSSION CAN BE VIEWED ON THE YOUTUBE LINK LOCATED ON THE TOWN WEBSITE & FACEBOOK PAGE.**

**NOTE:** The reading of the Reports was waived per the Supervisor and Board Members due to limited time.

**REPORTS OF TOWN OFFICIALS:**

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

**REGULAR TOWN BOARD MEETING – MAY 10, 2023**

**REPORTS OF COMMITTEES:**

The Committee Reports were received by the following: Beautification – Teresa Whalen; Highway – Bryan Rounds; Economic Development – Richard Larkin; Landfill – John Alexander; Lighting – No Report; Historian – Sandi Parisi; Museum – Kevin Geraghty; Parks/Recreation, Sewer/Water – John Alexander; Youth

**COMMUNICATIONS:** Bob Bradley sent information about DEC New York State’s Green Purchasing Program.

**NEW BUSINESS:**

Matt McGregor from Abundant Solar Power Inc. here to discuss and answer questions on locating solar panels on our closed landfill.

**THE COMPLETE 25 MINUTE DISCUSSION CAN BE VIEWED ON THE YOUTUBE LINK LOCATED ON THE TOWN WEBSITE & FACEBOOK PAGE.**

**RESOLUTION 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 APPROPRIATING FUNDS THEREFORE**

**RESOLUTION #73-2023**

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

**SECONDED BY:** Councilperson Bryan Rounds

**WHEREAS**, a Project TAP/CMAQ- River Street Sidewalks, between Perry Lane and Johnson Drive, Enhancements, Town of Warrensburg, Warren County, P.I.N. 1761.87- D036415 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds;

**WHEREAS**, the Town of Warrensburg desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Construction

**NOW, THEREFORE**, the Town Board duly convened does hereby

**RESOLVE**, that the Town Board hereby approves the above-subject project; and it is hereby further

**RESOLVED**, that the Town Board hereby authorizes the Town of Warrensburg to pay in the first instance 100% of the federal and non-federal share of the cost of Construction work for the Project or portions thereof; and it is further

**RESOLVED**, that the sum of \$1,082,000.00 has hereby appropriated from the General Fund and made available to cover the cost of participation in the above phase of the Project; and it is further

**RESOLVED**, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further



**REGULAR TOWN BOARD MEETING – MAY 10, 2023**

**RESOLVED**, that the Town of Warrensburg has agreed to submit NYS Homes & Community Renewal funding application for a New York Main Street – Target Area Renovations Grant prepared by Flatley Read, Inc. at a cost not to exceed \$3,000 and as such, the Supervisor is hereby designated as the representative for the grants and is further authorized to sign such documentation and provide such information as may be required for timely completion of the applications.

**DULY ADOPTED MAY 10, 2023 BY THE FOLLOWING VOTES:**

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

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

**REQUEST FOR OCCUPANCY TAX FUNDS FROM WARRENSBURG CHAMBER OF COMMERCE**

**RESOLUTION #75-2023**

**INTRODUCED BY:** Councilperson Richard Larkin

**WHO MOVED ITS ADOPTION**

**SECONDED BY:** Councilperson Bryan Rounds

**WHEREAS**, the Warrensburg Town Board received a request to approve Occupancy Tax Funds to the Warrensburg Chamber of Commerce in the amount of \$100.00 for Sponsorship of their Golf Tournament to be held at Cronin’s Golf course on Sunday June 4, 2023.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Warrensburg Town Board hereby approved the request for Occupancy Tax from Warrensburg Chamber of Commerce for Sponsorship of Golf Tournament in the amount of \$100.00.

**RESOLUTION DULY ADOPTED MAY 10, 2023 BY THE FOLLOWING VOTES:**

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

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

**RESOLUTION OF THE TOWN OF WARRENSBURG REQUESTING THAT GOVERNOR HOCHUL SUPPORT LEGISLATION THAT WILL ALLOW TOWNS THE OPTION TO ASSESS ALL NEWLY CONSTRUCTED CONDOMINIUMS IN A MANNER THAT REFLECTS THE MOST CURRENT MARKET VALUE**

**RESOLUTION #76-2023**

**INTRODUCED BY:** Councilperson Richard Larkin

**WHO MOVED ITS ADOPTION**

**SECONDED BY:** Councilperson John Alexander

**WHEREAS**, in 1975, section 306 of the State Real Property Tax Law directed that, “All real property in each assessing unit shall be assessed at the full value thereof”, and

**WHEREAS**, residential condominium units in some municipalities incur less taxes than those of comparably priced homes under conventional forms of property ownership pursuant to the provisions of § 581.1(a) of the Real Property Tax Law (“RPTL”) which governs how condominium units are assessed for tax purposes; and

**REGULAR TOWN BOARD MEETING – MAY 10, 2023**

**WHEREAS**, pursuant to the provisions of § 581.1(c) of the RPTL, § 581.1(a) does not apply to a “converted condominium” unit in a municipal corporation which has adopted, prior to the taxable status date of the assessment roll upon which its taxes will be levied, a local law providing that the provisions of § 581.1(a) shall not apply to converted condominium units; and

**WHEREAS**, the Town Board of Warrensburg believes that it is in the best interests of its municipalities to have the option to exempt “newly constructed” condominiums from the provisions of § 581.1(a) of the RPTL in the same manner that § 581.1(c) of the RPTL provides an exemption for converted condominiums; and

**WHEREAS**, because of its attractive location, many towns are popular destinations for those seeking second homes, most of which would be characterized as expensive, and are intentionally condominized by developers seeking preferential tax treatment, which shifts the tax burden to other residential property owners, often those who can least afford it, and

**WHEREAS**, New York State Assessors Association supports legislation that will allow municipalities to assess newly constructed condominiums to reflect the most current market values; and

**WHEREAS**, the New York State Assessor’s Association has a longstanding voice expressing support for a change in the methodology for condominium valuation for the purposes of taxation to reflect current market values, similarly to that of residential properties; and

**WHEREAS**, currently, condominiums are valued based on a restricted methodology that has no resemblance to market value; and

**WHEREAS**, The Town of Warrensburg now seeks an amendment to § 581.1(a) of the RPTL or legislation authorizing a Home Rule request or any other NYS legislation that would permit municipalities to opt for the ability to exempt “newly constructed” condominiums from the provisions of § 581.1(a) of the RPTL, and

**WHEREAS**, as the New York State’s Attorney General’s Office states, a condominium (condo) is a single real estate unit in a multi-unit development in which an owner has both of the following: Separate (individual) ownership of a unit and undivided interest in the common elements of the building, and

**WHEREAS**, Syracuse.com reported that, “One condo in Skaneateles sold for \$2.2 million. It was assessed and taxed as if it were worth just \$464,000”, and

**WHEREAS**, legislation introduced and passed in both houses to amend the real property tax law (Assembly bill A3491B and Senate bill S5946), in relation to the taxation of property owned by a cooperative corporation, and

**WHEREAS**, that legislation, passed by both houses of the New York State legislature, amended section 581 of the real property tax law allowing municipalities, if they choose, to treat future residential condominiums assessment based on market value, the same as for single family residential assessments, and

**WHEREAS**, in December, 2022, Governor Hochul vetoed legislation that would have brought greater equity in the assessment of residential housing and would generate more revenue, and

**WHEREAS**, Governor Hochul signed a law that enabled the Town of Greenburgh to tax future condominium construction as residential properties, and

**WHEREAS**, there are many towns in New York, like Greenburgh, that have spent considerable time and money to assess properties at 100% equalization levels, and

**WHEREAS**, the Town of Warrensburg wishes to assure real property tax equity for all forms of housing in its Town, and

**REGULAR TOWN BOARD MEETING – MAY 10, 2023**

**WHEREAS**, the Town of Warrensburg supports legislation that would close the door on homebuilders who wish to seek unfair market advantages for their expensive homes, classified as condominiums, and giving big tax breaks to owners of big suburban homes classified as condominiums, and

**WHEREAS**, the current law enables significant tax breaks for the owners of condominiums, often very expensive condominiums, and are tax breaks that all other property owners must burden, making single family homes, for example, more expensive to own, and school and local government tax burdens greater for single family homeowners, and

**WHEREAS**, the Town of Warrensburg also wishes to deter Town residential developers from abusing the current law and give significant tax breaks to expensive homeowners at the expense of the creation of more affordable homeowners, and

**WHEREAS**, the original bill, that was vetoed by the current governor, would have allowed municipalities to decide for themselves if they wish to maintain the current condominium loophole or opt out, thus maintaining New York’s long tradition of Home Rule, and

**WHEREAS**, the choice of the municipality to abandon the Condominium loophole law would be in accord with New York State’s Section 10 of the Municipal Home Rule law, and

**WHEREAS**, according to the Lake George Mirror, “It is estimated that under current law, condo owners’ county, town and school tax bills are 30 to 40% less than what they ought to be – leaving other property owners to make up the difference”, and

**RESOLVED**, that the Town of Warrensburg, like the Town of Greenburgh, wish to have the same ability to have the **OPTION** of assessing condominiums and cooperatives the same as single family housing, based on market values, which would provide more equity in taxation and fairness in assessment.

**BE IT FURTHER RESOLVED**, that copies of this Resolution be forwarded to Governor Kathy Hochul, Senator Stec, Assemblywoman Carrie Woerner and Assemblyman Simpson.

**DULY ADOPTED MAY 10, 2023 BY THE FOLLOWING VOTES:**

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

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

**APPROVE BUDGET MODIFICATIONS – (1)**

**RESOLUTION #77-2023**

**INTRODUCED BY:** Councilperson John Alexander

**WHO MOVED ITS ADOPTION**

**SECONDED BY:** Councilperson Richard Larkin

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

**Budget Modifications**

**May 10, 2023**

**GENERAL FUND**

A599	Appropriated Fund Balance	\$ 50,000.00	
A1355.400	Assessor – Contractual		\$ 50,000.00
	To cover part of the cost for		
	Assessment Revaluation		

**REGULAR TOWN BOARD MEETING – MAY 10, 2023**

**NOW THEREFORE, BE IT**

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

**RESOLUTION DULY ADOPTED MAY 10, 2023 BY THE FOLLOWING VOTES:**

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

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

**APPROVE BUDGET TRANSFERS – (2)**

**RESOLUTION #78-2023**

**INTRODUCED BY:** Councilperson Richard Larkin

**WHO MOVED ITS ADOPTION**

**SECONDED BY:** Councilperson Bryan Rounds

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

**Budget Transfers**

**May 10, 2023**

**GENERAL FUND**

A1620.400	Buildings - Contractual	\$ 3,000.00	
A1620.200	Special Items - Unallocated Insurance		\$ 3,000.00
	To cover new phone expenses		

**CEMETERY FUNDS**

CM8810.400	Cemetery - Contractual	\$ 5,000.00	
CM9050.800	Unemployment - Benefits		\$ 5,000.00
	To cover Unemployment Expenses		

**NOW THEREFORE, BE IT**

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

**RESOLUTION DULY ADOPTED MAY 10, 2023 BY THE FOLLOWING VOTES:**

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

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

**REQUEST TO PAY WARRANTS ON ABSTRACT #5-2023**

**RESOLUTION #79-2023**

**ON MOTION OF:** Councilperson Bryan Rounds

**SECONDED BY:** Councilperson John Alexander

**RESOLUTION DULY ADOPTED MAY 10, 2023 BY THE FOLLOWING VOTES:**

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

**REGULAR TOWN BOARD MEETING – MAY 10, 2023**

**RESOLVED**, to pay the warrants outlined on **Abstract #5-2023** in the following amounts:

<b>WARRANTS:</b>	<b>Total Claims:</b>	<b>\$125,503.09</b>
	General Fund	\$54,578.66
	Cemetery Fund	\$3,315.21
	Highway Fund	\$19,000.45
	Lighting District	\$7,556.15
	Sewer Fund	\$8,250.29
	Water Fund	\$12,648.44
	Transmission Line	\$18,970.55
	Sidewalk Project	\$1,183.34

**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 8:25 pm

**Respectfully Submitted,**

**Pamela M. Lloyd, Town Clerk**