

**MINUTES
TOWN OF WARRENSBURG
REGULAR TOWN BOARD MEETING
PUBLIC HEARING MEETING
JULY 12, 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; Tracy Benoit, Water/Sewer/Parks & Recs Manager; Joyce Reed, Water/Sewer Clerk; Jim Hull, Code Enforcement; Teresa Whalen, Beautification; Sandi Parisi, Town Historian; 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.

OPEN PUBLIC HEARING:

Public Hearing for the purpose of hearing comments on the Town of Warrensburg Community Development needs and to discuss the submission of a Community Development Block Grant Application for the 2023 program year.

Town Clerk, Pamela Lloyd read the Public Hearing Notice that was published on June 26, 2023 in the Post Star Newspaper.

PUBLIC COMMENTS:

No Public comments received.

CLOSE PUBLIC HEARING:

Supervisor Kevin Geraghty declared Public Hearing Closed at 7:25 PM.

APPROVE MINUTES OF TOWN BOARD MEETINGS HELD ON JUNE 15, 2023

RESOLUTION #96-2023

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 June 15, 2023.

RESOLUTION DULY ADOPTED JULY 12, 2023 BY THE FOLLOWING VOTES:

AYES: Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin

NAYS: None

REGULAR TOWN BOARD MEETING – JULY 12, 2023

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; Dog Report – No 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 – No Report; Lighting – No Report; Historian – Sandi Parisi; Museum – Laura Moore; Parks/Recreation, Sewer/Water – John Alexander; Youth – Kevin Geraghty

There will be a Ten Team Fast Pitch Softball Tournament at the Recreation Field on July 21 – 23, 2023. It’s called the Upstate Revenge Softball Tournament. We welcome the teams and hope to host more tournaments in the future.

REQUEST TO INCREASE DAVID LOCKE - PROPERTY MAINTENANCE/CLEANUP HOURLY RATE TO \$85.00 HOUR

RESOLUTION #97-2023

INTRODUCED BY: Councilperson John Alexander
WHO MOVED ITS ADOPTION

SECONDED BY: Councilperson Richard Larkin

WHEREAS, the Town Board of Warrensburg received a request from Jim Hull, Code Enforcement Officer to Increase the hourly rate for David Locke, Property Maintenance/Cleanup from \$65.00 hour to \$85.00 hour.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of Warrensburg hereby approved the request to Increase the hourly rate to \$85.00 for Property Maintenance/Cleanup done by David Locke on un-kept Residential Property Per Code Enforcement Officer.

DULY ADOPTED ON JULY 12, 2023 BY THE FOLLOW VOTES:

AYES: 4 NAYS: 0 ABSENT: 0

AYES: Supervisor Geraghty, Councilpersons Alexander, Rounds, Larkin

COMMUNICATIONS:

REQUEST TO ALLOW WARRENSBURG SCHOOL TO USE REC FIELD FACILITY FOR EVENTS IN THE 2023-2024 SCHOOL YEAR

RESOLUTION #98-2023

INTRODUCED BY: Councilperson John Alexander
WHO MOVED ITS ADOPTION

SECONDED BY: Councilperson Bryan Rounds

REGULAR TOWN BOARD MEETING – JULY 12, 2023

WHEREAS, the Town Board of Warrensburg received a request from Warrensburg Central School to use the Recreation Field facilities for school events in the 2023-2024 school year. To include holding Soccer practice, cross country events, use of the Tennis courts and to keep the bathroom facilities open during the events.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of Warrensburg hereby approved the request for Warrensburg Central School to use the Recreation Field facilities to include the bathrooms for the 2023-2024 school year events.

DULY ADOPTED ON JULY 12, 2023 BY THE FOLLOW VOTES:

AYES: 4 NAYS: 0 ABSENT: 0

AYES: Supervisor Geraghty, Councilpersons Alexander, Rounds, Larkin

OLD BUSINESS:

Kubricky Construction Corp. was awarded the State Route 418 and River Street Sidewalk project in the amount of \$1,106,785.00. This project is scheduled to start in August.

Empire State Development sent an award notice on the Town of Warrensburg’s Restore NY Grant in the amount of \$50,000 for the King Street project.

NEW BUSINESS:

RESOLUTION AUTHORIZING APPLICATION FOR A HOUSING REHABILITATION GRANT

RESOLUTION #99-2023

ON MOTION OF: Councilperson John Alexander
WHO MOVED ITS ADOPTION

SECONDED BY: Councilperson Bryan Rounds

WHEREAS, the Board of Trustees finds it in the best interests of the Town to seek grant funding for community revitalization in the Town of Warrensburg; and

WHEREAS, NYS Homes & Community Renewal, Office of Community Renewal provides funding for such projects to municipal applicants; and

WHEREAS, the Town has determined a Housing Rehabilitation Program to be in the best interest of supporting community and economic revitalization in the target area; and

WHEREAS, the proposed Housing Rehabilitation Program will help support continued sustainable economic growth in the community by alleviating pockets of blight throughout the Town;
NOW, THEREFORE, BE IT

RESOLVED, that the Town of Warrensburg has agreed to re-submit a funding application for Housing Rehabilitation to a Community Development Block Grant (CDBG), prepared by Flatley Read, Inc. at no cost and as such, the Supervisor is hereby designated as the representative for the grant and is further authorized to sign such documentation and provide such information as may be required for timely completion of the application.

REGULAR TOWN BOARD MEETING – JULY 12, 2023

THIS RESOLUTION WAS DULY PUT TO A ROLL CALL VOTE ON JULY 12, 2023, WHICH RESULTED AS FOLLOWS:

AYES: 4 NAYS: 0 ABSENT: 0

AYES: Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin

RESOLUTION DECLARING THE CDBG HOUSING REHABILITATION PROGRAM USING 2023 NYS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING TO CONSIST OF TYPE II ACTIONS UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

RESOLUTION #100-2023

INTRODUCED BY: Councilperson John Alexander
WHO MOVED ITS ADOPTION

SECONDED BY: Councilperson Bryan Rounds

WHEREAS, federal grant funding is available through the NYS Homes and Community Renewal to support local housing and community development activities which are undertaken by eligible municipalities; and

WHEREAS, the Town of Warrensburg is applying for such funding through the 2023 Program Year funding competition under the NYS Community Development Block Grant (CDBG) Program; and

WHEREAS, the Town of Warrensburg will use the 2023 CDBG funds to implement a community-wide single-family housing rehabilitation program for existing eligible owner-occupied homes located within the Town of Warrensburg; and

WHEREAS, the Town has designated Supervisor Kevin B. Geraghty as the Certifying Officer for the Town; and

WHEREAS, the Town is required by federal regulations to undertake an environmental review of 2023 CDBG Program activities, included under NEPA and SEQRA, prior to the Release of Funds being issued by the NYS Office of Community Renewal; now therefore

BE IT RESOLVED, the Town of Warrensburg has completed the attached SEQR short environmental assessment form (EAF) for the CDBG Housing Rehabilitation 2023 Program, and therefore

BE IT FURTHER RESOLVED, the Town Board has declared the CDBG Housing Rehabilitation 2023 Program to consist of Type II Actions under SEQRA in accordance with 6 NYCRR §617.5(c)(1), (2), and (11).

DULY ADOPTED ON JULY 12, 2023 BY THE FOLLOW VOTES:

AYES: 4 NAYS: 0 ABSENT: 0

AYES: Supervisor Geraghty, Councilpersons Alexander, Rounds, Larkin

REGULAR TOWN BOARD MEETING – JULY 12, 2023

RESOLUTION AUTHORIZING NYS HOMES AND COMMUNITY RENEWAL FUNDING UNDER THE NEW YORK MAIN STREET TARGET AREA BUILDING RENOVATIONS PROGRAM.

RESOLUTION #101-2023

INTRODUCED BY: Councilperson Richard Larkin
WHO MOVED ITS ADOPTION

SECONDED BY: Councilperson John Alexander

Resolution by the **Town Board of Trustees** approving and endorsing **Town of Warrensburg** in its application to NYS Homes and Community Renewal for funding under the **New York Main Street Target Area Building Renovations Program.**

WHEREAS, the **Town of Warrensburg** desires to apply for **\$300,000** in financial assistance through the **2023** Consolidated Funding Application (CFA) under the **New York Main Street Target Area Building Renovations Program**; and

WHEREAS, the application proposes funding to assist property owners to complete building renovations to downtown “main street” buildings on Main Street between **3839 Main Street and 3875 Main Street**; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT

RESOLVED, that the **Town Board of Trustees** of the **Town of Warrensburg** approves and endorses the **2023 New York Main Street Target Area Building Renovations Program** for assistance prepared and to be submitted by **Town of Warrensburg**.

THIS RESOLUTION WAS DULY PUT TO A ROLL CALL VOTE ON JULY 12, 2023, WHICH RESULTED AS FOLLOWS:

AYES: 4 NAYS: 0 ABSENT: 0

AYES: Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin

DISCUSSION: Supervisor Geraghty asked Andrew to explain this Grant.

Andrew Alberti from Flatley Reed, Inc. Stated, Under the direction of the EDC they have been requested to apply for a NYS Main Street Target area Renovations Grant in the amount of \$300,000. This Grant is funded to businesses commercial as well as commercial mixed use buildings to assist with renovations. Typically, this is a \$50,000 per building with a \$25,000 kicker up to \$100,000 total this would be paid out by the business owner or building owner and then would be reimbursable to them. The municipal outlay is nothing.

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APPROVE BUDGET MODIFICATIONS – (2)

RESOLUTION #102-2023

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

July 12, 2023

WATER DISTRICT

SW5031	Interfund transfer	\$ 661,232.72	
SW9730.600	BAN - Principal		\$ 650,000.00
SW9730.700	BAN - Interest		\$ 11,232.72
	To pay off BAN		

H20-Water Transmission Line

H20-4089	Federal Aid, Other	\$ 745,050.00	
H20-5731	Ban Redeemed From Approp	\$ 340,076.40	
H20-1420.400	Attorney - Contract		\$ 10,515.40
H20-1440.400	Engineering - Contrac		\$ 80,001.00
H20-8340.400	Transm& Distrib-Contrac		\$ 994,610.00
	Budget to Complete Water Transmission Line		

NOW THEREFORE, BE IT

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

RESOLUTION DULY ADOPTED JULY 12, 2023 BY THE FOLLOWING VOTES:

AYES: 4 NAYS: 0 ABSENT: 0

AYES: Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin

REQUEST TO PAY WARRANTS ON ABSTRACT #7-2023

RESOLUTION #103-2023

ON MOTION OF: Councilperson Bryan Rounds

SECONDED BY: Councilperson John Alexander

RESOLUTION DULY ADOPTED JULY 12, 2023 BY THE FOLLOWING VOTES:

AYES: Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin

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RESOLVED, to pay the warrants outlined on **Abstract #7-2023** in the following amounts:

WARRANTS:	Total Claims:	\$433,810.81
	General Fund	\$47,793.76
	Cemetery Fund	\$987.39
	Highway Fund	\$332,989.64
	Lighting District	\$6,663.99
	Sewer Fund	\$7,998.62
	Water Fund	\$37,377.41

COMMENTS

Jim Hull, Code Enforcement officer – Addressed the Attorney about returning information to their office for the Local Law being proposed.

Sharon Sutphin – Asked Andrew from Flatley Reed a question about the Main Street Grant, and if it was going to cover all of Main Street? **Supervisor Geraghty responded**, No its only Target Areas for now. **Andrew responded**, to start this first round project it is recommended to select \$250,000 to \$300,000 grant amount which is subject to a scoring criteria based on density which will maximize the impact, so they identified a very targeted Main Street area with the intent that in the future if this is successful that they would expand that area and continue to address additional areas in need. **Richard Larkin** – Reiterated and agreed with Andrews’s explanation.

John Alexander – Commented on the Historian report to make a correction on the name Cynthia Sperry should be Cynthia Sperry Converse. Also wanted to recognize the **loss/passing of a Warren County Community icon, Sheriff Larry Cleveland**.

SUPERVISOR GERAGHTY CALLED AN EXECUTIVE SESSION AT 7:38 PM

REQUEST FOR AN EXECUTIVE SESSION TO DISCUSS SETTLEMENT AGREEMENT ON A CURRENT LITIGATION

RESOLUTION #104-2023

ON MOTION OF: Councilperson John Alexander
WHO MOVED ITS ADOPTION

SECONDED BY: Councilperson Bryan Rounds

WHEREAS, the Town Board of Warrensburg Called an Executive Session to discuss a Settlement Agreement on a current litigation. All Board members and the Town Attorney went into a closed door Executive Session at 7:38 pm.

NOW, THEREFORE, BE IT

RESOLVED, The Town Board of Warrensburg ended Executive Session at 7:57 pm, with the results to approve a Resolution #105-2023 for a Settlement Agreement on a current litigation.

THIS RESOLUTION WAS DULY PUT TO A ROLL CALL VOTE ON JULY 12, 2023, WHICH RESULTED AS FOLLOWS:

AYES: 4 **NAYS:** 0 **ABSENT:** 0
AYES: Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin

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RESOLUTION TO APPROVE SETTLEMENT AGREEMENT WITH ASH REAL ESTATE HOLDINGS, LLC

RESOLUTION #105-2023

INTRODUCED BY: Councilperson Richard Larkin

WHO MOVED ITS ADOPTION

SECONDED BY: Councilperson John Alexander

WHEREAS, Ash Real Estate Holdings, LLC (Defendant) owns Property located at 100 River Street in the Town of Warrensburg identified a Tax Map Parcel Number 211.17-1-7 (the Property) which was damaged by fire on November 29, 2020; and

WHEREAS Defendant failed to remediate its Property and the Town commenced litigation in Warren County Supreme Court under Index Number EF2022-70090; and

WHEREAS, Defendant has, since the commencement of this litigation begun remediating his Property by demolishing portions of the structure damaged by fire, putting up a safety fence, commissioning engineered stamped designs for the rebuild, obtaining a Local Land Use Development Permit from the Town and has applied for a County Building Permit; and

WHEREAS, Defendant needs time to construct the building contained in the application for a County Building Permit, and

WHEREAS, the Parties wish to avoid any further litigation costs while Defendant remediates its Property.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board agrees to settle the litigation upon terms which would allow Defendant until September 30, 2024 to substantially complete the project (i.e. obtain “dried in” status) at the Property and if Defendant fails to do so or fails to be granted an extension by the Court for good cause shown, Defendant would not object to an Order from the court finding the Property to be in violation of the Warrensburg Town Code and State Code and would agree to an Order allowing the Town the right but not the obligation to demolish or remediate the Property at Defendant’s sole cost which will include attorneys’ fees and any other professional service costs associated with this violation and such expenses will become a lien on the Property and will be added to the Property’s Town tax bill to be collected with the payment of Town taxes; and

BE IT FURTHER

RESOLVED, that the Town Supervisor or Deputy Supervisor is authorized and directed to sign a Settlement Agreement between the Town and Defendant in a form as it is attached to this Resolution; and

BE IT FURTHER

RESOLVED, that the Town Supervisor, Town Clerk and Town Counsel are hereby authorized and directed to take all actions necessary to effectuate the intent of this Resolution.

THIS RESOLUTION WAS DULY PUT TO A ROLL CALL VOTE ON JULY 12 2023, WHICH RESULTED AS FOLLOWS:

AYES: 4 NAYS: 0 ABSENT: 0

AYES: Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin

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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 8:07 pm

Respectfully Submitted,

Pamela M. Lloyd, Town Clerk