

**MINUTES
TOWN OF WARRENSBURG
REGULAR TOWN BOARD MEETING
SEPTEMBER 13, 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 AUGUST 9, 2023

RESOLUTION # 116-2023

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 August 9, 2023.
RESOLUTION DULY ADOPTED SEPTEMBER 13, 2023 BY THE FOLLOWING VOTES:

AYES: Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin
NAYS: None

Jadynn and Janell Egloff (Quintal) of Upstate Revenge Softball would like to address the Town Board at the beginning of meeting for a few minutes.

DISCUSSION: Janell and Daughter Jadynn Egloff along with Coach Matt Brown of the travel softball team called the Upstate Revenge, expressed their gratitude and appreciation for the Town of Warrensburg's gracious offer to allow them to use the ball fields at the Recreation fields off of Library Avenue for 1 of their many Tournament and the on Sundays for their practices. Janell also stated that they received a lot of feedback from other teams and coaches on how beautiful the town is and how the background of the fields with the mountains is just gorgeous and how they would like to come back in spring for another tournament. Also, a big Thank You to Tony Fruda for all his help and hard work with everything they asked of him and more. Jadynn Quintal presented a plaque to Supervisor Geraghty as a thank you. Supervisor Geraghty stated that it was pleasure to have them and they enjoyed the game and would like to have them come back again.

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OPEN PUBLIC HEARING AT 7:10 PM:

Public Hearing on the Comprehensive Plan Update.

Deputy Town Clerk, Judi Hull read the Public Hearing Notice that was published on August 17, 2023 in the Post Star Newspaper.

PUBLIC COMMENTS:

Laura Moore – Read and submitted a letter written by Gary Bivona, President of the Warrensburgh-Thurman Historical Society in regards the Historical Society has taken some time to review the draft Comprehensive Plan and are pleased with the progression of the document and would like to offer a few comments. **Please refer to the Warrensburg YouTube website to here the complete letter read by Laura Moore.**

Teresa Whalen, 43 Orton Drive – Read a prepared statement, no copy submitted, stating the phrase slogan most associated with Warrensburg was in harmony with its past however the vision statement on page nine only mentions our natural and recreational assets leaving out our historic resources referencing our architectural Heritage along with the biggest issue of the rezoning of Main Street to all commercial (on pages 28 thru 30 Draft Comp Plan) which would put in jeopardy the main historic properties that exist in the areas that are currently zoned Hamlet mixed use. The creation of an overlay district on main street would provide for more allowed uses in the corridor and suggest adaptive reuse for our historic properties rather than demolition.

Lil Costa, 29 Lily Pond Ln – Stated that she would like to recommend the arch organization, which is part of the Adirondack Architectural Heritage to be referenced and a part of anything done in the town or part of one of the committees along with including the Library. She enjoyed reading the whole plan and thought it was well done.

Paul Gilchrist – Read and Submitted a letter, stated that his letter was based the approval of Overlay Zone of Main Street, which Supervisor Geraghty told Mr. Gilchrist that Overlay was taken out of Final Comprehensive plan. **Please refer to the Warrensburg YouTube website to here the complete letter read by Paul Gilchrist.**

Frank Laduca, 561 State Rt 28 - Stated that he thought the Plan was fantastic and the only comment he would like to add and it goes along with historical is somewhere in the plan it talks about commercial buildings whether you renovate an historical building or add a new building it needs to have what he called Curb Appeal, which means it needs to look like it belongs there. He would like to have this added to the plan.

Manu Davidson, 1 Ridge Ave - Stated she had 1 comment that the failure to embrace the historic nature of the community with in the zoning and within the Comprehensive Plan this invites people to come in and tear the buildings down.

Jennifer Merry-Bierman, 10 Oak St – State they moved here a year ago and so far loves it here and like the quaintness of the town and was drawn to the town by some of the old buildings.

Supervisor Geraghty and Councilpersons Alexander, Rounds, Larkin – All made comments in reference to the public comments above and in favor of accepting the Final copy of the Comprehensive Plan as written. **Please refer to the Warrensburg YouTube website to hear the complete comments by the Board.**

CLOSE PUBLIC HEARING:

Deputy Supervisor John Alexander declared Public Hearing Closed at 7:30 PM.

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After closing the Public Hearing, The Attorney Leah Everhart Read the 17 questions of the SEQRA Part 2 and all board members responded No to all 17 questions. The resolution below was adopted by Roll Call Vote to accept the Comprehensive Plan Update and Issue a Negative SEQRA Declaration.

RESOLUTION TO ADOPT THE TOWN OF WARRENSBRUG COMPREHENSIVE PLAN UPDATE AND ISSUE A NEGATIVE DECLARATION FOR (SEQRA) REVIEW

RESOLUTION #117-2023

INTRODUCED BY: Councilperson John Alexander

WHO MOVED ITS ADOPTION

SECONDED BY: Councilperson Bryan Rounds

WHEREAS, the Town of Warrensburg Town Board identified the need to update the Town’s Comprehensive Plan as a result of changes since the adoption of the 2012 Comprehensive Plan; and

WHEREAS, the Town Board appointed a Comprehensive Plan Advisory Committee and charged it with creating a Comprehensive Plan Update; and

WHEREAS, with much public input and with much time and effort, the Comprehensive Plan Advisory Committee prepared a draft Comprehensive Plan Update and held a Comprehensive Plan Advisory Committee Public Hearing on the draft plan on June 20, 2023; and

WHEREAS, the Comprehensive Plan Advisory Committee has recommended to the Town of Warrensburg a draft Comprehensive Plan Update to replace the current 2012 Comprehensive Plan; and,

WHEREAS, said draft Comprehensive Plan Update is available on the Town’s website for examination and review by the public; and

WHEREAS, the Town Board provided public notice and held a public hearing on September 13, 2023 to hear and consider all public comments on a Final Draft Comprehensive Plan; and,

WHEREAS, a Final Draft Comprehensive Plan Update was referred for comment to the Warren County Planning Board consistent with NYS General Municipal Law 239 and the Warren County Planning determined the Action to be a matter of local concern; and,

WHEREAS, the Town Board of the Town of Warrensburg has final review and approval authority for adoption of the Comprehensive Plan as per New York State Town Law 272-a; and

WHEREAS, on August 16, 2023 the Town Board declared their intent to be SEQRA Lead Agency and circulated a Lead Agency Intent notice to all interested and involved agencies; and,

WHEREAS, all interested and involved parties agreed that the Town Board was the appropriate Lead Agency for the Comprehensive Plan Update adoption.

NOW THEREFORE BE IT RESOLVED, the Town Board as Lead Agency finds that this proposal is a Type 1 Action under the New York State Environmental Quality Review Act (SEQRA) and makes a negative declaration that the adoption of the Final Comprehensive Plan Update will not have the potential for significant, adverse environmental impact; and,

BE IT FURTHER RESOLVED, after full consideration of all public comments received and a review of the record of documents and research for this Action, the Town formally adopts the Final Comprehensive Plan Update (as last updated), and dated September of 2023; and,

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BE IT FURTHER RESOLVED, the Town Board directs the Town Clerk to make the Final Comprehensive Plan Update available online at the Town website as well as available for review at the Town Clerk’s office.

THIS RESOLUTION WAS DULY PUT TO A ROLL CALL VOTE ON SEPTEMBER 13, 2023, WHICH RESULTED AS FOLLOWS:

AYES: 4 NAYS: 0 ABSENT: 0

AYES: Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin

OPEN PUBLIC HEARING AT 7:40 PM:

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.

Town Clerk, Pamela Lloyd read the Public Hearing Notice that was published on August 17, 2023 in the Post Star Newspaper.

PUBLIC COMMENTS:

Chuck Johnson, 19 Johnson Drive - Stated he is not in favor of the limit of 6 chickens (hens) and not allowing any Roosters. Also continued to explain the importance and process of raising of chickens for the eggs to provide food for his family. **Attorney Leah Everhart responded** that in general this Law is not meant to restrict what’s allowed already its actually meant to allow the keeping of birds where none are currently allowed, so it’s not that the town board is attempting to say they don’t want people to have chickens.

Kevin Bellinger, 19 James St - Stated that his family are citizens of this town and have owned chickens for over 20 years and have had no complaints and is not in favor of the 6 chicken limit.

Tobie Binder, Hudson St – Stated she has 8 chickens and the idea of having to pick two to get rid of is not something she wants to do, they are like pets to her and they produce eggs for her to enjoy as well. She has never had any complaints only has been praised for her chickens and the eggs she shares with her neighbors. So she is not in favor of the limit on the chickens.

Kathy Furello - Stated she did not read the proposed Law and Asked several questions, **1st** - If this Law is for the Hamlet or the whole town? **2nd** – Is the law to limit the amount of chickens and that they need to be kept confined in a pen? **Attorney Leah Everhart responded to the questions – 1st** · The law allows Females (Hens) in any zoning district and allows the Males (Roosters) in only 1 Zoning District. **2nd** - The Proposed Law suggests 6 chickens, but that amount can be changed and the Law states that the Fowl should be kept in a penned in area and not allowed to roam free. **Supervisor Geraghty** also reiterated what the Attorney had responded and stated again that the amount of chickens can be changed therefore the reason for this public hearing. He also read a complaint that was sent into him from Kathy Varney at 2 Sanford Street about the chickens be allowed to roam around and the Police and Animal Control has no recourse to stop this from happening and he has some photograph showing the damage they have done to said property.

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Janet Tallman, 15 Mountain Ave - Stated that she doesn't own chickens and stands very strongly behind the people's right in the hamlet to raise them for food and doesn't trust the global food supply the way the future is headed.

Jennifer Merry-Bierman, 10 Oak St – Stated she agrees with Janet Tallman and agrees with the chickens not being able to roam free and should be kept in a pen and possibly should be able to talk to your neighbor instead of making a Law.

Jim Hull, Pasco Ave – Stated that he doesn't eat or like chicken but does eat eggs and he is the Code Enforcement officer and this whole thing with this Law has come about due to the complaints received about chickens roaming free and crapping and causing issues on neighbor's properties. Currently there is nothing in the Town Code that addresses this issue and needs to have something in place to help with this ongoing issue.

Supervisor Geraghty and Councilpersons Alexander, Rounds, Larkin – All made comments in reference to the public comments above. **Please refer to the Warrensburg YouTube website to hear the complete comments made by the Board.**

SUPERVISOR GERAGHTY CLOSED & TABELED THE PUBLIC HEARING TO CONTINUE DISCUSSION AT THE OCTOBER BOARD MEETING ON OCTOBER 11, 2023 @ 7:00PM

PER SUPERVISOR GERAGHTY THE REPORTS WERE WAIVED FROM READING DUE TO THE TIME SPENT ON THE 2 PUBLIC HEARINGS.

REPORTS OF TOWN OFFICIALS:

The Town Officials reports were received and **NOT** read by the following: Town Clerk – Pamela Lloyd; Supervisor – Kevin Geraghty; Assessor, Justice - John Alexander; Dog Report – Kevin Geraghty; Planning Department - Bryan Rounds; Code Enforcement Officer – Jim Hull.

REPORTS OF COMMITTEES:

The Committee Reports were received and **NOT** read by the following: Beautification – Teresa Whalen; Highway – Bryan Rounds; Economic Development – Richard Larkin; Landfill – John Alexander; Lighting – No Report; Historian/Museum – Sandi Parisi/Laura Moore; Parks/Recreation, Sewer/Water – John Alexander; Youth – Kevin Geraghty.

COMMUNICATIONS: NONE

OLD BUSINESS:

Sidewalk Project on River Street is moving along nicely.

Reminder the Town will have Emergency Access Routes set up during the Garage Sale. Cars parked in those routes will be towed.

NEW BUSINESS:

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REQUEST FOR OCCUPANCY TAX FUNDS FROM WARRENSBURG VOL. FIRE CO.

RESOLUTION #118-2023

INTRODUCED BY: Councilperson Richard Larkin
WHO MOVED ITS ADOPTION

SECONDED BY: Councilperson Bryan Rounds

WHEREAS, the Warrensburg Town Board received a request from the Warrensburg Volunteer Fire Company for Occupancy Tax Funds in the account of \$7,699.27 for advertising and expenses for the 2023 Annual Smoke Eaters Jamboree held on July 28 & 29, 2023.

NOW, THEREFORE, BE IT

RESOLVED, that the Warrensburg Town Board hereby approved the request for Occupancy Tax from Warrensburg Volunteer Fire Company for advertising expense in the amount of \$7,699.27 for the 2023 Annual Smoke Eaters Jamboree.

RESOLUTION DULY ADOPTED SEPTEMBER 13, 2023 BY THE FOLLOWING VOTES:

AYES: 3 **NAYS:** 0 **ABSTAIN:** 1

AYES: Councilpersons Alexander, Rounds, Larkin

ABSTAIN: Supervisor Geraghty

The Town and Ash Real Estate holdings have come to a Settlement Agreement on the Grist Mill property at 100 River Street.

REQUEST AN AGREEMENT WITH CEDARWOOD ENG. FOR A NEW WELL STUDY WITH USDA GRANT FUNDING

RESOLUTION #119-2023

INTRODUCED BY: Councilperson Richard Larkin
WHO MOVED ITS ADOPTION

SECONDED BY: Councilperson Bryan Rounds

WHEREAS, Warrensburg Town Board request to enter into an agreement with Cedarwood Engineering Services for a Warrensburg Water Source Investigation Study for a New Well.

WHEREAS, Cost of the study not to exceed \$40,000 with USDA Grant Funding proposed \$30,000 and Town funds of \$10,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Warrensburg Town Board hereby approved to enter into an Agreement with Cedarwood Engineering Services for a Warrensburg Water Source Investigation Study for a New Well with cost not to exceed \$40,000 with USDA grant of \$30,000 and Town of \$10,000.

RESOLUTION DULY ADOPTED SEPTEMBER 13, 2023 BY THE FOLLOWING VOTES:

AYES: 4 **NAYS:** 0 **ABSTAIN:** 0

AYES: Supervisor Geraghty, Councilpersons Alexander, Rounds, Larkin

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APPROVE BUDGET MODIFICATIONS – (1)

RESOLUTION #120-2023

INTRODUCED BY: Councilperson John Alexander
WHO MOVED ITS ADOPTION

SECONDED BY: Councilperson Bryan Rounds

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

**Budget Modifications
September 13, 2023**

GENERAL FUND

A599	Appropriated Fund Balance	\$ 60,000.00	
A8020.400	Planning – Contractual		\$ 30,000.00
A8160.400	Refuse Collection - Contractual		\$ 30,000.00
	Comprehensive Plan Expenses		
	Tipping Fees		

NOW THEREFORE, BE IT

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

RESOLUTION DULY ADOPTED SEPTEMBER 13, 2023 BY THE FOLLOWING VOTES:

AYES: 4 NAYS: 0 ABSENT: 0

AYES: Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin

APPROVE BUDGET TRANSFERS – (7)

RESOLUTION #121-2023

INTRODUCED BY: Councilperson Bryan Rounds
WHO MOVED ITS ADOPTION

SECONDED BY: Councilperson John Alexander

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

**Budget Transfers
September 13, 2023**

GENERAL FUND

A1990.400	Special Items -Contingency	\$ 2,500.00	
A1110.400	Justice Contractual		\$ 1,000.00
A1220.400	Supervisor Contractual		\$ 1,500.00
	To cover expenses		
A5410.120	Personal Service Part Time	\$ 1,000.00	
A5410.110	Personal Service Overtime		\$ 1,000.00
	To cover overtime expense		

A7140.400	Beach - Contractual	\$ 1,500.00	
A7140.100	Beach - Personal Services		\$ 1,500.00
	To cover Lifeguard expense		

WATER DISTRICT

SW8320.401	Source of Supply - Electric	\$ 1,000.00	
SW8320.120	Source of Supply Part Time	\$ 1,000.00	
SW8320.110	Source of Supply Over Time		\$ 2,000.00
	To cover overtime expense		
SW8330.120	Purification Part Time	\$ 750.00	
SW8330.110	Purification Over Time		\$ 750.00
	To cover overtime expense		
SW8340.200	Trans. & Distribution Equipment	\$ 10,000.00	
SW8320.200	Source of Supply - Equipment		\$ 10,000.00
	To cover Motor Expense		
SW8330.400	Transmission & Distribution - Cont.	\$ 6,000.00	
SW8320.200	Source of Supply - Equipment		\$ 6,000.00
	To cover Motor Expense		

NOW THEREFORE, BE IT

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

RESOLUTION DULY ADOPTED SEPTEMBER 13, 2023 BY THE FOLLOWING VOTES:

AYES: 4 NAYS: 0 ABSENT: 0

AYES: Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin

REQUEST TO PAY WARRANTS ON ABSTRACT #9-2023

RESOLUTION #122-2023

ON MOTION OF: Councilperson John Alexander

SECONDED BY: Councilperson Bryan Rounds

RESOLUTION DULY ADOPTED SEPTEMBER 13, 2023 BY THE FOLLOWING VOTES:

AYES: Supervisor Geraghty, Councilperson Alexander, Rounds, Larkin

RESOLVED, to pay the warrants outlined on **Abstract #9-2023** in the following amounts:

WARRANTS:	Total Claims:	\$308,533.23
	General Fund	\$71,832.46
	Cemetery Fund	\$1,447.17
	Highway Fund	\$12,425.39
	Lighting District	\$7,252.48
	Sewer Fund	\$6,514.65
	Water Fund	\$29,217.92
	Sludge Project	\$166,950.00
	Sidewalk Project	\$12,893.16

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COMMENTS: NONE

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