

WORKSHOP MEETING, WARRENSBURG TOWN BOARD, JANUARY 8, 2008

A workshop meeting was held on Tuesday, January 8, 2008 at the Albert Emerson Town Hall at 4:30 P.M. to discuss proposed amendments to the sign portion of the Zoning Code with the following members present:

PRESENT:

Supervisor	Kevin B. Geraghty
Councilman	Austin Markey
Councilman	Joseph Barlow
Councilman	John Alexander
Councilman	Dean Ackley

OTHERS PRESENT: Donna A. Combs, Town Clerk; Joyce Harvey, Planning Board Member; Art Healy, Planning Board Member; Eileen Frasier, Planning Board Member; Laura Moore, Planning Board Member and numerous town residents.

DISCUSSION – SIGN PORTION OF CODE

Supervisor Geraghty opened discussion explaining there will be other meetings after this, providing everyone can reach some form of consensus of opinion tonight. Supervisor Geraghty explained one of the big issues was with the businesses in town, Jerry Quintal had done a study and found forty five businesses. Supervisor Geraghty said the Town had taken the time to go up and down Main Street to look at the signs and talk to those businesses; this is strictly his opinion after talking with the business owners; the town is pretty much okay with the signs that exist, we should grandfather those signs without any permit required, allow the businesses who are doing business in Warrensburg to keep their existing signs; if the business transfers but stays the same, it makes no sense to make that business take down their signs and then put up new signs. Supervisor Geraghty said what he would personally like to do is leave the businesses alone that currently exist, we will discuss some of the other things that they have and if they transfer the business, sell the business; including the symbol which could be the horse on the Rafter J or the cow or pigs at Jerry's anything like that; allow those people to keep those symbols and if they sell the business and the business stays the same, keep those symbols and move on. Supervisor Geraghty said the other thing there has been a lot of discussion about, a stickler, is banners, what constitutes a banner, how long should they be allowed up and are permits needed for banners. Supervisor Geraghty said when he talks about banners it could be promotional banners, it could be the ones Pepsi provides when Americade comes in, it could be a business that is having a promotion for a week or two and wishes to put a banner up. Supervisor Geraghty said the Board has heard pros and cons on banners, we have some people who feel the Town should not allow banners at all; that is something the Town should resolve tonight. Supervisor Geraghty said A Frame signs are currently allowed in the Ordinance from October to May, the Town Board wanted to change that to year round; for some reason that did not sit well in December; it is another thing that needs to be addressed, hopefully tonight. Supervisor Geraghty said the heartburn the Town has with those is when people sit them out in the middle of the sidewalks, and, how many should a business be allowed. Supervisor Geraghty said the size is set in the Code as it is today; and the last thing they would need to

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address is the regulations on signs outside of the Hamlet in the Code. Supervisor Geraghty said the Town of Warrensburg does not have any jurisdiction on signs outside of the Hamlet, that jurisdiction is with DEC and APA; as far as the Town is concerned, what you do outside of the Hamlet area is controlled by those jurisdictions, you do not have to come to the Town of Warrensburg Zoning Officer and get a permit.

Patti Corlew, Zoning Officer, told the Supervisor a permit is required from her Office.

Supervisor Geraghty told Mrs. Corlew a permit is required right now but the Town does not have jurisdiction. Mrs. Corlew said APA and DEC are. Supervisor Geraghty said it would make more sense to him.

Jerry Quintal – explained he pays the Department of Transportation \$120.00 every year for a license plate for a sign because it is an off-premise sign. Mr. Quintal said he did not know what other people have to do but with this, because it is not directly on his premise property and it is not in the State right of way or the town right of way he has to pay \$120.00 for the sign so there is multiple jurisdictions over signs.

Supervisor Geraghty said if we do not control what goes on at Rte 28 and 9 why should we be involved in it, if they have to go to APA and DEC and they are going to have the final say on it, why muddy the waters and have you come to the Town of Warrensburg and get a permit, that is something that needs to be discussed tonight, something which needs to be cleaned up. Supervisor Geraghty said those are his items, those are the things he tried to pick out of the last thing and, mind you, we are dealing with a 1992 sign ordinance as it is written right now, any thing they do would be a change to the ordinance and hopefully, we can move on. Supervisor Geraghty reiterated what the town wants is to protect our businesses, but we also want to make sure the Town is preparing for the future. Supervisor Geraghty said at this time he would ask each of the Board members their ideas for the Ordinance, starting first with John (Councilman Alexander).

Councilman Alexander-thanked everyone for being present tonight, explaining he and his son had called every business in the last couple of weeks to ask them to attend to night, to readdress this from last December, the concerns some of the businesses had then and to get something on the books. Councilman Alexander said everyone knows that within ten to fifteen years Main Street will be all the way up to Route 28, at least we all hope. Councilman Alexander said knowing the only way Main Street can go is north, we know we want to increase the Hamlet slowly. Councilman Alexander said he has heard some of the business people say some businesses have not seemed welcome and we certainly do not want that. Councilman Alexander said he was basically looking at political signs and if they are allowed in the medium, between the side walk in the road.

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Jerry Quintal – told Councilman Alexander they are allowed if you buy a permit, if a political sign is on private property no permit is needed. Mr. Quintal said the reason you purchase a permit from the Town, it is his understanding, is so you can put them in the State, County and Town right of way. Mr. Quintal said years ago the State used to go through and pick the signs up.

Councilman Alexander said he was not sure whether the State owned it or the person who owned the property on the other side of the side walk owned it, but, he did not allow them at his business, he pulls them up, he does not care for them. Councilman Alexander said he has even found them at the cemetery, between the sidewalk and the cemetery and he finds that really distasteful. Councilman Alexander asked if there was going to be a ruling for that.

Supervisor Geraghty – agreed with Jerry, if you go up behind DOT, there are a ton of them. Supervisor Geraghty said they pull them out of the right of ways, he does not think they are allowed in the right of ways.

Councilman Alexander said he was assuming political signs would be under temporary signs, and asked how long a political sign should be out during a campaign year. Councilman Alexander said he had not received a determination on that, he was still waiting.

Mr. Quintal told Councilman Alexander the Ordinance states fifteen days and then you have to re-permit and do it again. Mr. Quintal said most people who put their signs out take them down after the primary, and they should, and then put them back up after garage sale and that is the waySupervisor Geraghty said Chestertown has sixty days.

Councilman Markey said Chestertown sounds pretty reasonable because people that are running in an election want them out for the primary and for the general election, Chester's Ordinance also put stipulations on no more than seven days after the election.

Supervisor Geraghty said it is sixty days if you take it down seven days after the election.

Councilman Alexander asked if the ordinance say if it is the person who owns the signs or the property owner who is responsible to do that.

Councilman Markey said the person who purchases the signs should be the one responsible for that. Supervisor Geraghty agreed the candidate should be the one responsible, and, said it is only reasonable.

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Mr. Quintal told Councilman Alexander that could be written into the Code very easily and if he did not want the signs in the medium, between the sidewalk and the lawn, just say they must be on private property.

Discussion ensued with several people speaking their opinions together, at the same time.

Supervisor Geraghty told the Town Board they could take that directly out of the Chester ordinance.

Councilman Ackley responded just to clarify; the State and the County do not require a permit as long as they are out of their right of way.

Councilman Alexander said he thought because of the close proximity to the polling places he gets the signs, and, asked if the Board should eliminate them in the Ordinance.

Mr. Quintal said he would not care if they eliminated them altogether, then you would not be getting the eye sore all over town, they are just an eyesore. Mr. Quintal suggested not letting any political signs in Warrensburg.

Councilman Barlow – said he was not in favor of a lot of the banner type signs; he did not want to see the Town look like a carnival. Councilman Barlow said any sign that is tasteful and is put up showing the business and what they are about should be allowed, he was anxious to hear what the public had to say about the signs in town.

Councilman Markey – said he had driven up and down the streets and had not found anything that was distasteful and he wished to stress the point that he did not wish to make the businesses in town suffer any undue harm, taking signs down, replacing signs or what ever. Councilman Markey stated the businesses are very valuable here in town and he did not want to put any more restraints on them, he wished to make it as easy as possible for them to live by our code.

Councilman Ackley – said he had discussion with the Supervisor and other Board Members, about the political signs and temporary signs. Councilman Ackley said he knew Patti(Zoning Officer) disagreed with him, she reads the Code one way and he reads the Code a different way, other people read it another way so he would like to ask the Planning Board for opinion and information, clarification of the Temporary sign so everyone understands that portion of the Code the same way. Councilman Ackley said at this point he did not know who was right and who was wrong – Patti or himself.

Councilman Alexander told Councilman Ackley he thought before we got our new street, we had this new grassy area; the signs were on people's property and he thought the town had this unique thing where we have this piece of ground that no one stakes as there own and it seems to be open territory for anybody who wants to stick something in it.

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Councilman Ackley said he believed we pay taxes on our property and if he wanted to stick a sign on his property he should be able to put a sign on his property, if it is in the right of way he could understand that; although it is still his property and he still paid taxes on it right up to the edge of the road. Councilman Ackley said when it comes to private property-----Supervisor Geraghty said he did not think there were any issues. Councilman Ackley said there are issues because some people read it one way and some people read it the other way. Councilman Ackley said they had issues the last election, he did what was right and what was asked of him to do; he did not take down some of his signs because they were on private property and the owners said they wanted them left. Councilman Ackley said it was his feeling the Planning Board should work on this and make a recommendation to the Town Board, if the Planning Board feels something is not clear enough it should be changed.

PRIVILEGE OF THE FLOOR – SIGN ORDINANCE OPINIONS

Jerold Quintal – told the Town Board he wished to discuss the political signs first. Mr. Quintal said there needed to be clarification on this, if someone wished to take Kevin’s sign and put it on his private lawn; if the candidate wishes to buy a blanket permit of what ever the permit charge is now, that would blanket him to put his signs on people’s lawns so they do not get harassment that they need a permit. Mr. Quintal said this would permit them to put the sign in, it would be under the candidates blanket policy, if you want to eliminate the media’s on the street it would be a good idea to write that in there and just have them on private property. Mr. Quintal said he could care less about political signs, there does need to be a clarification in the ordinance so when a candidate comes in whether it be Betty Little or Teresa Sayward or anyone they will know Warrensburg is a permitted town and you will need to get a sign permit for these signs in Warrensburg; the political committee will get a permit for them and will have a blanket permit.

Councilman Alexander said as the Superintendent of the Warrensburg Cemetery he will not allow political signs in there.

Mr. Quintal said they should not go in the Cemetery, if it is outside the Cemetery— Councilman Alexander said it did not matter, you are still approaching a cemetery and they should not be there.

Mr. Quintal said that is a simple fix and addressing Councilman Alexander then said he would answer his question about Hamlet expansion; it should be done in a new Master Plan; if you are going to expand the Hamlet make sure you do it up the River Road, too. Mr. Quintal said he liked all of Kevin’s ideas, excellent, there was only one thing, it should be in writing no permits are required by grandfathered businesses and a new business that comes in would have to come in and buy a nominal fee permit, this would allow the Town control over what is going up for signs. Supervisor Geraghty asked Mr. Quintal to repeat that again. Mr. Quintal said people who are in business when the ordinance becomes effective would be grandfathered in; they do not need to get a permit,

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any new business should come in and purchase a sign permit. Mr. Quintal said if they are putting ten signs on their building they still should come in and tell you where they are putting them. Mr. Quintal said when he did his new sign on Main Street he came in and got a new sign permit. Supervisor Geraghty said a new sign. Mr. Quintal said he a new sign. Councilman Barlow said a new business; Jerry is talking about a new sign, a new business. Supervisor Geraghty said they have to do that anyway; they have to meet the regulations of the Planning Board. Mr. Quintal said he just did not want that dropped. Supervisor Geraghty said that would not be dropped, the main thing was to address the current businesses and the symbols because that seems to be near and dear to current businesses but new businesses will have to follow the rules as they are stated. Mr. Quintal said he feels in the Ordinance there should be a subparagraph stating statues, murals and paintings are not considered signs. Mr. Quintal said our previous Code Enforcement Administrator came to him and said he had to take all of his stuff down; he was the one that got him riled up, the pigs which the kids sit and get their pictures taken on, the Angus bull in the field, the pigs on the shutters. Mr. Quintal said he wanted to make sure that it states in this Ordinance any decorative thing in a business, like the horse down at Jeannie's, not only would be grandfathered in but should be put in they are not considered a sign for future people coming in.

Supervisor Geraghty said that was why he said symbols because a horse is the symbol of a western store. Mr. Quintal said he has a mural and some people have paintings.

Councilman Alexander said he has cemetery monuments in his front yard and people could construe those as anything they want to. Mr. Quintal replied exactly and this is what they were doing to him-he was told he had to take the pigs off the shutters and take these two pigs down, kids get their pictures taken on them all the time and they are just something that is there and nobody addressed it until he came around and riled him up, which he did a good job of. Mr. Quintal said he might have something to say later on but he thought this was a great way to go and if they take suggestions he has absolutely zero problems with what Kevin is doing.

Supervisor Geraghty said that was just a start; he wanted to hear from everybody who was affected.

George Nemeč – agreed, all of the signs out there are close to being legal so they should be grandfathered but his signs are per say ten feet bigger than what the ordinance says. Mr. Nemeč told Councilman Barlow he had made an interesting comment when he said he did not want the town to look like a circus and he was in agreement with that, but he has not seen a banner in Warrensburg that he thinks is bad. Mr. Nemeč said they keep them off the overheads, the sidewalks, and they do not put them over the street. Mr. Nemeč said he has one that goes on the front of his tent most of the summer long that says flowers or produce and they are not distasteful. Mr. Nemeč said the other thing is the life expectancy, if you have a guy with one that is weather beaten or torn apart that business is not going to be there much longer any way. Mr. Nemeč told the Town Board

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the other thing he wished to address was free standing signs, he has one he puts letters in and takes out and some he puts out front, the town has one out front, he has one he puts up which is a big Christmas tree. Mr. Nemeč said they take signs down and put them up for the season, he was not going to have it up for Easter or in April, so again it goes with the season and if someone still has one up people are just going to laugh at them. Mr. Nemeč said he does do one for the propane tank that is free standing that they move around and those are up year round but they are not on the sidewalk, they are not in someone's driveway and he has not seen anyone stick one out there that is.

Supervisor Geraghty asked Mr. Nemeč how many banners people should be allowed for a business, if the town were going to control that. Mr. Nemeč said it should be by square footage, the Grand Union could have three or four with no problem, he could have a couple without a problem.

Supervisor Geraghty asked if two would be enough or if one would be enough. Mr. Nemeč said he did not feel one would be enough. Supervisor Geraghty told Mr. Nemeč it was his Blue Seal ones he was looking at, but, there again he went by Subway today and he did not know what the status with Subway was if there were open or not but that their banner was flopping down. Someone said that sign was fixed and the one on Main Street further up had been fixed. Supervisor Geraghty said what he meant was it is seedy if people don't properly take care of them yet banners for the fire prevention week are put up for a month, Las Vegas Night and Jamboree are probably up for a month and banners are important to get your message out. Mr. Nemeč said there again, those are longer banners too, it should be one every fifty feet or something. Supervisor Geraghty said he thought there was a code or standard in there for banners, in some ordinances. Supervisor Geraghty asked Mr. Nemeč if it was one banner for every fifty feet and Mr. Nemeč said yes.

Supervisor Geraghty asked Mr. Nemeč how many A Frames he felt was appropriate. Mr. Quintal said one to two, it all depended on the square frontage of the business.

Councilman Markey said George had a big frontage. Supervisor Geraghty asked Mr. Nemeč how many he could live with, two, because they are A Frames. Mr. Nemeč said you have to be able to read the signs when you go by, you do not want to have too many signs.

Councilman Ackley replied his store was not big enough to have one, but each business was going to be different. Supervisor Geraghty said we would need to be consistent with A Frame signs because there are some people who do encroach on the sidewalks and we have had problems with the sidewalk plow getting through in the winter time, sidewalks are important.

Mr. Quintal said a lot of the restaurants advertise a daily special on a board and it is nice to advertise a daily special but they should be taken down at night and taken in. Mr.

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Quintal said George's A Frame signs are for the whole month, if somebody is advertising a soup and sandwich special unless they are having that same soup and sandwich special every day.....Supervisor Geraghty said that becomes an enforcement issue, why can George leave his Christmas tree out when he is closed but I can't leave out my I am having hot dogs and sauerkraut sign this afternoon. Supervisor Geraghty said he was just looking out for the Code Enforcers.

Edrie Squires said she uses A Frames to display the wreaths at Christmas time, she never knew about this May to October thing. Supervisor Geraghty said it has always been in the Code, they are trying to take it out and make it year round.

Councilman Markey said it was never enforced because they did not want to put a hardship on anyone.

Supervisor Geraghty said the Town just wished to have a Code that is practical and they had tried to change it a year ago and people got up in arms and he had no clue why, now they are trying to straighten it out.

Mr. Quintal said the reason why was because Brian went around and stirred them all up, that is what happened.

Someone asked where the cut off line for the Hamlet was. Supervisor Geraghty said he would defer that to Patti.

Patti Corlew responded on Main Street, pretty much around the landfill. Councilman Alexander said the Industrial Park.

Mr. Quintal said right up to Mr. Green's property was where we extended the Hamlet to, just past that, then the bridge at the other end; Route 418 at the power station and just past where the bridge is going to the school, on Golf Course Road it is by EnCon where the speed signs changes.

Alan Smith said what he saw happen here at the beginning of the meeting did not make him all that happy because he had one entity within this building saying we don't fall under any of the towns requirements and yet another entity within the same building saying he does have to get permits. Mr. Smith said when it comes to bed tax money and formulating everybody wants the B&B to be a part of their group so they can get a little piece of the pie, the way he looked at what Mr. Geraghty had on his Board as item one that all existing signs are good to go tells him he wants to be part of the game they are playing here, he does not necessarily want to be part of the APA or DEC game.

Mrs. Corlew told Mr. Smith he was anyway, he is under their jurisdiction.

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Supervisor Geraghty said it was his understanding people would come to our Code Enforcement Officer and get a permit and put a sign on their business which was not in the Hamlet and then some other entity, the APA or the DEC, would come down and tell them to take it down, it was a game that was being played. Supervisor Geraghty said somebody in the Town might be saying yeah it meets out standards but you do not meet the APA or the DEC standards because they are different standards. Supervisor Geraghty said that was his understanding, he is not an expert on it but he understood that was what was going on and why would we say to anybody, a business up on Rte 28, go ahead and put the sign up, you meet our Code, and then have big brother come down from another arm of government saying you can't put that sign up. Supervisor Geraghty said he did not think it was fair, people need to be regulated by one or the other and they need to know who to go to. Supervisor Geraghty said why should people come to the Town of Warrensburg if we don't control what they do, he thinks that is ridiculous. Supervisor Geraghty said he did not think the APA was going to run all over the six million acres and check every little sign that is up there so he might be better off.

Mr. Smith responded he is in the lighting district and he is yet to get a street light. Supervisor Geraghty responded the street lights are used every day, go right out front and see.

Eileen Frasier – told the Town Board she had three points: perimeters on the size of banners, A Frames, some banners which are tastefully done and some that are really tacky and the third point is about having banners on the signs where some businesses have two banners that say the same thing on the same sign.

Supervisor Geraghty asked Ms. Frasier if she had an example so they would all know what she was talking about, saying it is easier if you can picture.....

Mrs. Frasier told the Supervisor if you go up the street there is a little Fudge shop, they have a fence, they have a banner and they have three different signs that tell us they sell fudge. Mrs. Frasier said there are some businesses that have garage sale signs in front of their businesses and their antique shops, one specifically that has a garage sale out and at night they just leave their stuff out in the yard. Mrs. Frasier asked if the Town had any kind of ordinance where they have to pull their stuff in at night so it doesn't look like you are driving through a kind of junk area, this is right on Main.

Supervisor Geraghty said the size of the A Frames signs are spelled out in the Ordinance now.

Mr. Quintal read part of Section 211-30 of the Code and asked if the Town was going to change this now. Supervisor Geraghty said we are going to change it, yes.

Dennis Martinez – asked if the town was going to put conditions of the banner in the law, a description clause so the Code Enforcement Officer can site it.

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Supervisor Geraghty said he thought it was already in there, but, we have it down now and asked if the condition description clause should include signs and banners, or signs banners and A Frames. Supervisor Geraghty asked Patti Corlew if that was one of the issues she had, that the sign was discrepant and she answered yes; Supervisor Geraghty said it would be addressed.

Mr. Martinez asked if an old business changes their sign, do they have to follow the new code. Supervisor Geraghty said yes, that was only fair, if they want to put the exact same thing up and paint it a different color he did not think the town would have any problems with it, if a business is going to keep the same sign let it go, if he is going to change the square footage then he would have to get a permit, that is only fair to the new business, which is exactly what Jerry was talking about, he got a new sign and came down and got a new permit.

Donald Bagwell – said he would hope political signs would be completely separate from the temporary signs. Mr. Bagwell said he had a different opinion than Dean, the NYS Department of Transportation does not give permits out for right of ways, they do not say they will not let you put a sign out, they just do not give permits. Mr. Bagwell told the Board the Transient Merchant Law does have a sign area in it, they use 3 by 5 feet for A Frames, 15 square feet, another thing the Town misses by not regulating out of hamlet is the money that you could get.

Councilman Markey said he did not think that was a fight we were going to tackle, we were not going to enforce outside of the Hamlet. Patti Corlew said we do right now. Mr. Bagwell said that is money the town will loose by not collecting the permit, minimal.

Supervisor Geraghty said again, he was going to state again, if our regulations don 't equal the DEC or APA regulations then we are doing a disservice to that business by collecting their money and telling them their sign is okay with the town of Warrensburg, when it is not okay with DEC and APA. Supervisor Geraghty said in the future if the Town wants to expand the Hamlet like we are talking about and we can come to some accord with those two entities and move on, he would say do it.

Mr. Bagwell told the Supervisor if he would attack it now and just write it, you know what the law of DEC and APA are, he gave it to him today, so just write it out or have two separate laws and be done with it; if you just let the out of hamlet go, temporarily, that works, too.

Supervisor Geraghty said he had a difference of opinion. Councilman Ackley suggested the Town could continue to issue permits as long as approval is received from the State authority first. Councilman Ackley said he agreed with Kevin, why are we giving out permits to areas that the state is going to require you take down, we are saying go ahead. Councilman Ackley said our office should send them to the State first for the State permits, with their approval we should issue a permit.

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Mr. Bagwell said that would be if the Town did not just drop the whole thing.

Marcella Towers- asked why someone out of Hamlet would need a permit.

Supervisor Geraghty explained it was his understanding there have been businesses who have come to –he knew of one particular business that is out side of the Hamlet area that came down to the Town Hall and was told their signs were fine, then they got in a jangle with DEC or APA. Supervisor Geraghty said he does not think this is fair, we should not be giving a false sense that your sign is okay if we do not have any jurisdiction, if they want to go to APA and then go to DEC and then come to us, if we really want that extra \$10.00 or \$15.00, if that is going to make the town or break the town, fine, but why make that person come to another entity when we are not going to have any say in what they do. Supervisor Geraghty said he just did not think we wish to tackle that at this time.

Mr. Quintal added if someone comes in from outside of the Hamlet, he thinks Patti should hand them a slip saying Warrensburg does not have jurisdiction over your sign, you must go to DEC or APA or whoever it is; tell them we are not giving you permission to hang your sign. Mr. Quintal said have a duplicate that you can have them sign, you sign it and give them a piece of paper, if DEC comes in and says you gave them permission to put their sign up we can say no we did not, they signed this and it is on file, that covers the Town. Mr. Quintal said if Patti has them sign the waiver that would cover us, otherwise people could sue because we gave them permission when they needed to go to another entity, even though this has been done for years.

Supervisor Geraghty said he knew that people do get excited because they look at our Code Enforcer and he is telling them one thing and then they get the hammer put down on them by another entity, it just is not right and if we do not control it why make it part of our thing. Supervisor Geraghty said that was just his opinion, we can get a form.

Mr. Quintal said it would just be a simple form to back us up.

Donald Bagwell told the Board to raise the fees.

Dennis Martinez told the Board to raise the fees, when he came down to get a permit, charge a one time fee of \$25.00 and that would be a lifetime fee for that sign, instead of every year having to apply for it and spending \$5.00.

George Nemeč – told Mr. Bagwell he had a good idea about copying someone else's ordinance, and that is great idea, that is what we did in 1992 because nobody wanted to address the sign ordinance that was so complicated. Mr. Nemeč said he did not think we should copy anybody's law because we did that and that is why we are here today.

Supervisor Geraghty said we would look at this for the future.

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Arthur Healy-told the Town Board he wondered about enforcement, all he ever hears is most of these ordinances that we have do not have any teeth for enforcement so how do we enforce them?

Supervisor Geraghty said like every other community, with a Code Enforcement Officer.

Mr. Healy replied we write a stricter paragraph in there and give it to Code Enforcement that is black and white, it is either not right or it is right, it seemed to him now it is everybody's opinion, what is right and what is wrong.

Supervisor Geraghty said when he asked for the issues he did not receive a lot of feedback. Supervisor Geraghty said he went to the Code Enforcement Officer before he came here tonight to find out what needed to be tightened up and it is usually the temporary sign, banners, political signs, the A Frame and when a sign is run down. Supervisor Geraghty said those were the things so he did not know where all that innuendo is coming from, those are the things he got from our Code Enforcement Officer, hopefully when we take the time to do this, and, everybody has to understand the Town will have to be okayed by an Attorney. Supervisor Geraghty said we can tell the Attorney this is what we want but the language has to hold up in court, that is our goal, we tell him this is what we want to say and then we will come back and have a meeting, hopefully with a final product in hand and say okay, fine tune this and read it over because every once in a while they can find a word which may not be the intent of the ordinance. Supervisor Geraghty told Art he did not see a lot of enforcement issues, if we direct ourCouncilman Alexander said Code Enforcement usually comes from a complaint, you see one business owner to another saying the banner has fallen down, why don't you fix it. Councilman Alexander said this is just hypothetical of course, you go over to Patti's Office, Patti makes one phone call saying can you fix your banner, tear it down, end of story. Councilman Alexander said that is usually the type of enforcement with these kinds of issues we are dealing with; with signs you have to have a complaint from another neighbor that doesn't care about the way their neighbors property looks, kind of the bottom line is you have to get a complaint before you can have an enforcement issue.

Mr. Healy said he talked to the Code Enforcement Officer and the Code Enforcement Officer told him it is not enforceable so he couldn't touch it.

Supervisor Geraghty said we didn't have to rectify that tonight. Councilman Ackley said it also doesn't stop with our Code Enforcement Officer, it sometimes goes beyond, to our Courts and sometimes it doesn't work out the way we like it.

Someone asked Supervisor Geraghty if the Code would be on line eventually and it was affirmed it will be.

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Donald Bagwell asked why this Code could not be written like the Transient Merchant law that allows enforcement by Councilmen and the Supervisor, as well.

Supervisor Geraghty said the only problem he would have with that would be he wouldn't want somebody to be running rough shod over somebody they didn't like and thinking they can enforce this because they don't like you. Supervisor Geraghty said he thinks we have the Code Enforcement Officer in place, if you read any ordinance the Code Enforcement Officer and the Zoning Administrator enforce them, if we don't have the people who think they can do it then we will replace those people and get somebody in those positions that can enforce it, this is not rocket science; we are not reinventing the wheel.

Mr. Bagwell said he was not here at the December meeting last year but it was his belief the terminology used in the modified law was the problem.

Supervisor Geraghty said he thought one of the problems was they were leaving it open to the discretion of the Code Enforcement Officer, in other words it was his discretion on what to say, his interpretation, and we are going to fix that. Supervisor Geraghty said the public had to wait for the Board to work on this product and we will have it spelled out, we are going to try to rid ourselves of the gray area and, like he said before, we will hire the right people to go out and do the code to the town of Warrensburg, we are not reinventing the wheel.

Councilman Markey said we should put ominous on the Code Enforcement Officer; it is their decision and then if someone is written up or cited they come into the court, so it is regulated by the Justice.

Supervisor Geraghty replied there is also an appeal process where they can go to the ZBA.

Eileen Frasier asked if there was a fine structure for signs, as well as a fee structure.

Supervisor Geraghty said it is in there, he thought it was a \$250.00 fine, up to \$250.00 and ten days in jail, he thought. Supervisor Geraghty said maybe they should address that and make it part of the this, the whole thing is the Town does not want to be heavy handed and wants to keep the businesses here in the Town, make it easy for them to operate.

Councilman Barlow asked what the feeling was about A Frames that are off the premises of the business.

Councilman Markey said he did not think there were that many situations. Councilman Barlow said quite a few, directional signs on Main Street for a place on River Street.

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Supervisor Geraghty said they are addressed in the ordinance but we will have to look at that.

Mr. Quintal said he did not think fifteen days was enough time for the type of signs George has up and told Supervisor Geraghty he thought he was doing a great job on what he was trying to do.

Supervisor Geraghty said temporary signs about vegetables may be one of those things that the Town addresses as seasonal signs and Christmas trees are seasonal so we let them have those signs up from Thanksgiving through Christmas, the fruits are seasonal, and the Farmers Market, and we don't want to do anything to hurt the businesses.

Mr. Quintal told the Board as far as Don talking about his transient people coming in, that started under his administration and everybody didn't like it and everything, now it has grown, to a point where everybody you talk to gets some help out of that. Mr. Quintal said he thought the town was doing a great job doing what they have been doing to keep it going because there was some scuttle butt to get rid of it and as far as the temporary signs for it goes, the only ones that are here for a long period of time is the group that Don goes with, the motorcycle people, they are here for over a week. Mr. Bagwell responded over fourteen days. Mr. Quintal said the transients who come in for Garage Sale are here for four days, he doesn't think we should restrict the transients any more than we restrict our own people and he doesn't really think we should go to them and tell them they have to buy a permit to display a sign for their wares.

Supervisor Geraghty said that is built into their permit. Mr. Quintal said he just did not want to see that in the Ordinance either where we are going to nail them for another permit. Supervisor Geraghty said no, no, no, we don't want anymore.

Yvonne Miller asked about the A Frames that are on people's own property, if she has one on her own property could she keep it out all winter.

Supervisor Geraghty said you can't right now but yes, when we change the ordinance you will be able to.

Edrie Squires – said in Lake George they have directional signs, why can't we do something like that.

Supervisor Geraghty said we talked about doing something like that and he thought a lot of organizations gave money towards those directional signs.

Mr. Quintal said those signs are still sitting up next to where the old Adirondack Journal building was, we had them all purchased and the State wouldn't let us put them up because they weren't break away.

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Edrie Squires asked why they have them up in Lake George, then. Mr. Quintal said they are breakaways.

Supervisor Geraghty said organizations paid a lot of money through donations for those, maybe the Town can adapt them. Mr. Quintal said that was ten years ago.

Supervisor Geraghty said he guessed as a Town Board we know where we have to go, now we will get with the Planning Board with some of these suggestions once we get them transcribed over and we will decide which entity will move ahead with the sign ordinance to try and get this done. Supervisor Geraghty told the people who were present he would promise them that within two months time we would have another meeting. Supervisor Geraghty explained he knew this time of day was tough for a lot of people and he did apologize; they would try to do it at night next time, maybe get these mailed out to the businesses, he thought there were forty of them and we will get it out to most of the businesses so they have time to mull it over, then we will get back together. Supervisor Geraghty said he was sure every body was going to have interpretation issues, everybody is going to have issues they don't like and maybe, his friends on the Planning Board did not like what the Board just did, he did not know, more discussion is needed on that. Supervisor Geraghty said this was a good starting point and he thanked everybody for coming in and said we really are trying to be business friendly, and, asked if people had more suggestions to call him so we could get them down.

On motion of Councilman Markey, seconded by Councilman Alexander, the meeting was adjourned at 5:26 p.m.

Respectfully submitted,

Donna A. Combs, Town Clerk