

REGULAR MEETING, WARRENSBURG TOWN BOARD, FEBRUARY 11, 2009

The regular meeting of the Warrensburg Town Board was held on Wednesday, February 11, 2009 at the Albert Emerson Town Hall at 7:00 p.m. with the following members present:

PRESENT:	Supervisor	Kevin Geraghty
	Councilman	John Alexander
	Councilman	Joseph Barlow
	Councilman	Austin Markey
	Councilman	Dean Ackley

OTHERS PRESENT: Donna A. Combs, Town Clerk; Ed Pennock, Highway Superintendent; Richard Galusha, Sewer Superintendent; Matt Securo; Sandra Parisi, Historian; Steve Parisi, Historical Society President; and numerous Town residents.

RESOLUTION #47-09

MINUTES

On motion of Councilman Alexander, seconded by Councilman Ackley, the following resolution was ADOPTED – VOTE – AYES 5 NAYS 0

RESOLVED, to accept the minutes as presented.

REPORTS OF TOWN OFFICIALS

Reports were received and placed on file from the following Town Officials: Town Clerk, Supervisor, Assessor, Justice, Dog Control Officer, and Enforcement Officer.

TOWN COMMITTEE REPORTS

The following town committees gave reports: Historian, Museum, Parks and Recreation, Youth, and Sewer and Water.

RESOLUTION #48-09

SEWER BILL AMENDMENT

On motion of Councilman Markey, seconded by Councilman Ackley, the following resolution was ADOPTED – VOTE – AYES 5 NAYS 0

IT IS RESOLVED, upon investigation and recommendation of the Zoning Officer the following sewer bill is amended as follows:

#210.12-3-5, owned by Randy and Stephanie Viele from \$320.00 to \$180.00 a year.

DISCUSSION – SEWER DISTRICT EXPANSION

Supervisor Geraghty opened discussion explaining there was three projects they were drawing up for the sewer district: mandate from the State in 2006 to put in a second treatment plant for the discharge-the Town decided to go with an ultraviolet system which will treat the discharge that we now put in the Schroon River, the Town did

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another treatment of the discharge and this had to be done because of the Swim-able Hudson River Act that Governor Pataki passed; the second portion of the sewer district expansion was the installation of another lagoon to expand our capacity and the third portion of the sewer district expansion was to move down Library Avenue with a sewer line going across Milton Avenue Bridge. Supervisor Geraghty explained the Town went to DEC, packaged all of the projects together and applied for funding, which USDA denied at first and has since said they will loan the money to do the project, since the election and the new President. Supervisor Geraghty said he told them no thank you, the Town needed grant funding and, now with the stimulus bill that has been passed, the Town is in line to receive funding for two of the projects, the Ultra Violet treatment and the new lagoon, the town is hoping to piggy back the third project. Supervisor Geraghty explained the Town Board needed to pass a resolution tonight for an application for EFC funding for the Wastewater treatment plant and the lagoon and the second part of that is they will have to do a short form SEQRA for those projects.

RESOLUTION #49-09

RESOLUTION AUTHORIZING REQUEST TO THE NYSEFC FUNDING FOR WWTP DISINFECTION

On motion of Councilman Markey, seconded by Councilman Alexander, the attached resolution was ADOPTED – VOTE – AYES 5 NAYS 0

DISCUSSION – SEQRA APPLICATION

Supervisor Geraghty read and prepared the SEQRA application. Supervisor Geraghty stated all of the declarations were no, therefore, he would sign and submit it to the State with the application for the Grant.

DISCUSSION – WATER METER BILLING PROPOSAL

Supervisor Geraghty opened discussion explaining this is the proposal to purchase some components for the installation of water meters, the Town has received a grant and the monies need to be expended in a timely fashion, the Town is going to ask for bids on an automatic meter reader, upgrade for some of the meters, purchase some meters and purchase some fittings.

RESOLUTION #50-09

SETTING WATER METER READER AND BILLING PROPOSAL DATE

On motion of Councilman Barlow, seconded by Councilman Alexander, the following resolution was ADOPTED – VOTE – AYES 5 NAYS 0

IT IS RESOLVED, to set a bid opening date for water meter reading, water meters, equipment and billing equipment for Friday, February 27, 2009 at 4:00 p.m.

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DISCUSSION – FUNDING SOURCE FOR SCHOOL FLASHING LIGHTS

Supervisor Geraghty reported the Town received a call from the Department of Transportation and they are going to try to include the flashing lights for the schools in the State's stimulus package.

DISCUSSION – ALDEN AVENUE

Supervisor Geraghty said the Town wanted to include the rebuilding of Alden Avenue in the Stimulus package; the Supervisor spoke with Ed (Pennock), if the State does relax the stipulation of shovel ready in ninety days, the town may see if they can do something with rebuilding Alden Avenue, which is not something the Town can do with Town funds. Supervisor Geraghty reported the State Government in the legislature has decided to cut the Towns funding by 42 percent to the Towns and 21 percent to the County, the cut to the town based on what the Town got the last time will be about \$28,000.00. Supervisor Geraghty said the Town will probably have enough money in the budget to do about a mile.

DISCUSSION – OPPOSITION ON THE PROPERTY TAX CAP ON LANDS WITHIN THE ADIRONDACK PARK AND THE CATSKILL PARK

Supervisor Geraghty opened discussion explaining he has brought this up once before, a motorcade is going to be formed to go to Albany to protest this. Supervisor Geraghty said it is felt this will have an adverse affect not only on the properties within the APA and the Catskill Park but it is also going to have an adverse affect on every taxpayer within the state because if the state shifts their obligation to pay taxes on all of its land, it is going to go to the taxpayers. Supervisor Geraghty said even though it sounds like it is a regional issue he does not believe it is a regional issue, he believes it is a state wide issue and he would like to see the Town of Warrensburg pass a resolution that could be forwarded to Governor Patterson and the proper legislators to say this is not a good idea.

RESOLUTION #51-09

RESOLUTION OPPOSING THE PROPERTY TAX CAP ON LANDS WITHIN THE ADIRONDACK PARK AND THE CATSKILL PARK

On motion of Councilman Markey, seconded by Councilman Barlow, the attached resolution was ADOPTED – VOTE – AYES 5 NAYS 0

DISCUSSION – PROPOSED LAKE GEORGE PARK COMMISSION STREAM CORRIDOR REGULATIONS

Supervisor Geraghty opened discussion explaining he feels these regulations are going to have a negative impact on the people who live in the Lake George Basin, and, it does affect us here; if you watch the papers and read the legal ads the Town of Warrensburg is included in the basin. Supervisor Geraghty explained the Lake George Park Commission is expanding the area where you can develop near a stream or something that feeds into the basin and it is really going to have a negative impact on the property owners. Supervisor Geraghty said that not only do you have the tax cap, not only do you have the

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APA regulations around the lakes and the setback requirements, now the Lake George Park Commission has come up with this plan to expand the area near streams and tributaries into lakes where you can build and some people can loose up to three or four lots the way it is set up; they may own six lots that border and because of the new regulations they could loose up to four lots. Supervisor Geraghty said it just seems like another burdensome regulation put on the people up here who live next to the Park; we are on the fringe; the Town needs to send a resolution to the Park Commission stating the Town opposes this.

Councilman Ackley said with this act, property can just be taken away without your permission and not paid for; you will not be able to use it but will still pay taxes on it.

RESOLUTION #52-09

A RESOLUTION OPPOSING THE LAKE GEORGE PARK COMMISSION PROPOSED STREAM REGULATIONS

On motion of Councilman Barlow, seconded by Councilman Ackley, the attached resolution was ADOPTED – VOTE – AYES 5 NAYS 0

PRIVILEGE OF THE FLOOR – TOWN RESIDENTS

John Wulfken – asked if the Town has addressed the problem where many people in the Town have removed their water meter or the meter is non-existent.

Supervisor Geraghty explained a list has been started in the Town Clerks Office and we have appealed to most people to let the Town know. Supervisor Geraghty is in hope the Town will receive enough funding where the Town can rectify every meter that is missing and repair every meter that needs repair.

Mr. Wulfken asked if it would be the Town's responsibility to reinstall the meters or if it would be the homeowners.

Supervisor Geraghty said the Town is not that far into the project yet, the town has grant funding to start the project, the town has reviewed how the meters work in the Town of Lake George and that is where we are right now. Supervisor Geraghty explained the plan is not to burden the tax payers.

Mr. Wulfken said it should be the homeowners' responsibility to reinstall their meter.

Supervisor Geraghty said the town would need to review the whole water meter program and installation when they were installed in 1992; the Town's water usage is subjective, it is what the Board passes and is not based on any numbers, the Town looked at a business who has another business in another community and at what that community charges this business for water, which is very similar to here, and found we are two and a half times less what they are paying in another community for water. Supervisor Geraghty explained water is an audit point that the State auditors made when they reviewed the

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books recently, they will have a final audit report and will meet with the Town Board about the water. Supervisor Geraghty said he feels the town improved the water recently when they put the Swan Street well back on line, the town certainly does not get a lot of discoloration complaints.

Mr. Wulfken asked about the copper and lead notification sent by the town recently. Discussion ensued on the effects of hard copper, and, the agents used in the town water.

Mr. Wulfken asked about frozen pipes different town residents have been experiencing. Mr. Wulfken spoke about people having to hire welders to come to their homes to get their pipes defrosted and told the Town this is extremely dangerous. Mr. Wulfken recommended a very low voltage unit that is specifically designed for defrosting pipes that sells for over \$6,000.00 and suggested the town get involved in purchasing this piece of equipment to defrost water lines instead of using welders, and then the town could back charge the home owner for the service.

Mr. Wulfken will bring the book in for the town to review.

Supervisor Geraghty suggested the Town speak to other communities to see how frozen water lines are dealt with in their towns.

Linda Marcella – thanked the Town Board for assisting the school with pushing the snow banks back, and said she wondered if their was something the school might do as a district to return the favor or share with the town or co-partner. Ms. Marcella told the Town Board the School Board will be having budget committee meetings, the next one will be held on March 6th, they could certainly use some attendance at these meetings. Discussion ensued on what the budget committee meetings will consist of and what the budget committee has accomplished.

Discussion ensued on the use of the School for the Summer Recreation Program with shared services.

Supervisor Geraghty reminded everyone of the meeting the Chamber of Commerce will be hosting at the Town Hall on February 25th at 7:00 p.m. to discuss the Garage Sale. This is not a Town Board meeting.

RESOLUTION #53-09

PAY BILLS

On motion of Councilman Markey, seconded by Councilman Barlow, the following resolution was ADOPTED – VOTE – AYES 5 NAYS 0

IT IS RESOLVED, to pay the warrants as outlined on Abstract #2-09.

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**RESOLUTION #54-09
EXECUTIVE SESSION**

On motion of Councilman Ackley, seconded by Councilman Barlow, the following resolution was ADOPTED – VOTE – AYES 5 NAYS 0

RESOLVED, that this Board move into an executive session to discuss the employment history of a particular employee. Time 7:36 p.m.

**RESOLUTION #55-09
CLOSE EXECUTIVE SESSION**

On motion of Councilman Markey, seconded by Councilman Barlow, the following resolution was ADOPTED – VOTE – AYES 5 NAYS 0

RESOLVED, that the executive session be closed and that this Board return to the regular meeting. Time 7:50 p.m.

DISCUSSION – ACTION OF EMPLOYEES

Supervisor Geraghty explained the Town Board will refer the action to the Town Attorney to review.

On motion of Councilman Markey, seconded by Councilman Alexander, the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Donna A. Combs, Town Clerk