

**SPECIAL MEETING, WARRENSBURG TOWN BOARD, OCTOBER 27, 2010**

A special meeting of the Warrensburg Town Board was held on Friday, October 27, 2010 at the Albert Emerson Town Hall at 4:00 p.m. with the following members present:

|                 |            |                |
|-----------------|------------|----------------|
| <b>PRESENT:</b> | Supervisor | Kevin Geraghty |
|                 | Councilman | John Alexander |
|                 | Councilman | Bryan Rounds   |
|                 | Councilman | Austin Markey  |
|                 | Councilman | Dean Ackley    |

**OTHERS PRESENT:** Donna A. Combs, Town Clerk; and Ed Pennock, Highway Superintendent.

**RESOLUTION #183-10  
MOVE TO SCHEDULED PUBLIC HEARING**

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

**RESOLVED**, that this meeting be interrupted to hold a public hearing advertised and scheduled for this evening at 4:15 p.m.

Public Hearing was called to order at 4:15 p.m.

Following distribution of the proposed Local Law to the Town Board members on October 8 of 2010, a legal notice was printed on October 15, 2010 in the Glens Falls Post Star, with a copy of said legal notice posted on the Town Hall bulletin board on October 11, 2010. The content of that legal notice was read into the record.

No one else wished to comment.  
Public hearing was closed at 4:21 p.m.

**DISCUSSION – SEWER DISTRICT EXTENSION PUBLIC  
HEARING/DECEMBER TOWN BOARD MEETING**

Supervisor Geraghty explained the process for doing the SEQRA form and explained because of the Historic District the Town is currently looking at the long form, the Supervisor will not be present for the December 8, 2010 Town Board meeting.

**RESOLUTION #184-10  
CHANGE DECEMBER TOWN BOARD MEETING**

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

**IT IS RESOLVED**, to move the December Town Board meeting date from December 8<sup>th</sup>, 2010 to Thursday, December 9<sup>th</sup>, 2010.

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**RESOLUTION #185-10**

**ORDER FOR PUBLIC HEARING ON EXTENSION OF SEWER DISTRICT FOR THIRD STREET, FOURTH STREET, AND RAYMOND LANE**

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

**RESOLUTION #186-10**

**ORDER FOR PUBLIC HEARING ON EXTENSION OF SEWER DISTRICT FOR LIBRARY AVENUE**

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

**DISCUSSION – SEWER LINE EASEMENT ABANDONMENT ON STEWARTS PROPERTY**

Supervisor Geraghty opened discussion telling the Town Board in 1992 to 1993 when the Sewer was being put in on Main Street, it was decided to go behind the property on Stewart Farrar or Elm Street, the Sewer line went in front of the property instead so no easement was necessary.

**RESOLUTION #187-10**

**RESOLUTION ABANDONING SEWER LINE EASEMENTS**

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

**DISCUSSION –COMMERCIAL WATER BILLING**

Supervisor Geraghty opened discussion telling the Town Board they have structures for three towns water billing process in their folders, and, with that in place he is going to change the water budget to reflect the change. Supervisor Geraghty told the Town Board he was going to discuss this with Wayne (Reed), with a half of a rate increase on the residential billing.

Councilman Markey said that every unit is now one and a half, which should give the Water Department a \$50,000.00 fund increase.

Supervisor Geraghty explained there are three different things, Wayne Reed has some information to help find out how many approximate gallons a home uses in Warrensburg, the Town can do metered billing for commercial accounts, and fixed rate fees for residential properties.

Discussion ensued on the Town Board changing the fee schedule and writing a local law to amend the water portion of the Town Code for the December Town Board meeting. Town Clerk Combs asked the Town Board to supply her with the info so that she can get a local law together to amend the town code water meter billing portion.

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Supervisor Geraghty told the Town Board he should have the information by the November meeting and then they can review and see if it looks favorable to them.

### **DISCUSSION – TIMBER BIDS**

Councilman Markey opened discussion explaining there have been inquiries about the Town's Forester and the bid process.

Discussion ensued on the amount of timber bid out, who the bidders are, the possibility of a second opinion on timber that has been marked. Discussion ensued on how the current Forester was obtained, if an RFP was done, what is required legally for a second opinion and who qualifies for having to do an RFP, concerns regarding the revenue this is generating not being obtained for this year's budget.

Councilman Markey told the Town Board information has come to his attention implying a conflict of interest, he is not comfortable accepting the bids as such, he would like to have a second opinion on it, to avoid problems in the future.

Councilman Alexander said over \$180,000.00 was generated about a year and a half ago; it was the same timber cruiser. Councilman Alexander said the next time around he would consider a different cruiser, this time he feels is too late, why weren't those concerns then, also, instead of now when it is just a portion, with substantial difference in dollars.

Councilman Ackley said he would like to get the cost to have another Forester come in.

Councilman Markey said that he is in contact with loggers in town, knows a lot of guys in the business, the pulp prices are at a record low, if the Town Board waits they are not going to do any worse than they are right now, and, if there is a conflict, a legal basis that the Town Board should be looking into with this, whether it was done right or wrong for \$180,000.00 last time or right or wrong for \$40,000.00 this time, he is not going to vote for it and the rest of the Board can do what they want, he has legal concerns for the way it is being done.

Councilman Ackley said he would like to table this and see how much it would cost to have another Forester come in.

Councilman Rounds asked if they work on a percent of the cut.

Supervisor Geraghty explained the cruiser looks at it, determines the numbers of types of species of trees there are and says bid it.

Councilman Rounds told the Town Board that three different cruisers could look at it and come in with three different figures so it is like a smoking gun there no matter what you do, and he did know that there are always going to be people who are going to be making

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accusations because the paving business is similar to the wood business. Councilman Rounds asked if the logging crew has remained the same since we have been using this Forester.

Supervisor Geraghty explained there were three bids received and Hollow Logging got one bid and Silver Saw got the other portion of it, he did not recall the dollar split between the two, this time we had three bidders come in: A Johnson, Silver Saw and Hollow Logging.

Councilman Markey said he did not think it was going to hurt the town for a matter of \$45,000.00 to have another timber marker come in and look at it and possibly re-bid it. Councilman Markey said En Con has a division where you can check into loggers and there is a grading system on how they grade, buy and sell, how they clean up after. Councilman Markey said En Con is a state agency, maybe they should check this with them.

Councilman Ackley asked if the Town's Forester gave the price before he put it out to bid.

Supervisor Geraghty said they had looked at it one time and had hoped to get between \$70,000 and \$80,000 and then he went and marked; Supervisor Geraghty said he then asked him to take a second look at marking it.

Councilman Ackley asked if the Forester gives the Town a dollar amount. Supervisor Geraghty said yes, and, it all is based on wood prices at the time that he cruised it. Supervisor Geraghty said when the Town spoke to the Forester two or three years ago and he cruised Hackensack the price was around \$80,000 but of course now the pricing is depressed. Supervisor Geraghty said he had checked the references of this particular person and had received no negatives.

It was decided that the next time the Town Board does logging they will get more than one quote from foresters.

### **RESOLUTION #188-10**

#### **RESOLUTION TO MOVE FORWARD WITH ORIGINAL BIDS AND FORESTER**

On motion of Councilman Alexander, seconded by Supervisor Geraghty, the following resolution was ADOPTED – VOTE – AYES – 4 NAY 1 (Councilman Markey voted nay).

**RESOLVED**, to continue with the original contract with Chris Gearwell as Forester and the original bids awarded.

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**RESOLUTION #189-10**

**ADOPT LOCAL LAW #3 of 2010**

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

**IT IS RESOLVED**, to adopt Local Law #3 of 2010, amendment to the Town Code relating to Dog Control.

On motion of Councilman Alexander, seconded by Councilman Rounds, the meeting was adjourned to a budget workshop.

**RESOLUTION #190-10**

**SCHEDULE BUDGET PUBLIC HEARING**

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

**IT IS RESOLVED**, to hold a public hearing on the 2011 proposed Budget on Thursday, November 4, 2010 at 4:00 p.m. and authorizing the Town Clerk to publish the hearing notice in the legal section of the Glens Falls Post Star.

On motion of Councilman Alexander, seconded by Councilman Rounds, the meeting was adjourned at 6:43 p.m.

Respectfully submitted,

Donna A. Combs, RMC/CMC