

## **REGULAR MEETING, WARRENSBURG TOWN BOARD, OCTOBER 9, 2013**

**The regular meeting of the Warrensburg Town Board was held on Wednesday, October 9, 2013 at the Albert Emerson Town Hall at 7:00 p.m. with the following members present:**

<b>PRESENT:</b>	<b>Supervisor</b>	<b>Kevin Geraghty</b>
	<b>Councilperson</b>	<b>John Alexander</b>
	<b>Councilperson</b>	<b>Bryan Rounds</b>
	<b>Councilperson</b>	<b>Joyce Reed</b>
	<b>Councilperson</b>	<b>Linda Marcella</b>

**OTHERS PRESENT:** Donna A. Combs, Town Clerk; Thomas Belden; Steve Parisi; Sandi Parisi; Robert Hafner, Town Attorney, and numerous Town residents.

### **RESOLUTION #179-13**

#### **APPROVE MINUTES**

**On motion of Councilperson Baker-Marcella, seconded by Councilperson Reed, the following resolution was ADOPTED by the following vote:**

**AYES 5      Alexander, Rounds, Geraghty, Reed, Baker-Marcella**

**NAYS 0**

**RESOLVED, to approve the minutes from September 10, 2013 and October 2, 2013.**

#### **REPORTS OF TOWN OFFICIALS**

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

#### **COMMITTEE REPORTS**

Committee reports were given from the following: Beautification Committee, Economic Development, Historian, Museum, Highway, Parks and Rec., Sewer, Water and Youth.

#### **COMMUNICATIONS:**

Supervisor Geraghty reported that he received the following items:

- 1) Thank you letter from David D. Waage regarding his sewer connection and help received from the Town employees and Engineer.
- 2) Ed Zibro is asking for a reduced speed limit on CR10 during Bike Week.

#### **DISCUSSION - SPEED REDUCTION REQUEST ON FOR BIKE WEEK**

Supervisor Geraghty opened discussion explaining the speed limit by the Fairgrounds is 55 miles per hour. Supervisor Geraghty said there are times when it can get pretty testy when they are having this event. The Supervisor said he will write the County who will send his request to the State.

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**DISCUSSION - NO PARKING SIGNS FOR RAYMOND LANE ENTRANCE**

Supervisor Geraghty reported to the Board that he sent a letter to DOT asking for No Parking signs at the entrance to Raymond Lane but has had no response yet.

**RESOLUTION #180-13**

**RESOLUTION TO ESTABLISH A CAPITAL RESERVE FUND FOR SEWER**

On motion of Councilperson Baker-Marcella, seconded by Councilperson Reed, the attached resolution was ADOPTED by the following vote:

**AYES 5      Alexander, Rounds, Geraghty, Reed, Baker-Marcella**

**NAYS 0**

**RESOLUTION #181-13**

**WARRENSBURG YOUTH SKI COMMISSION**

On motion of Councilperson Reed, seconded by Councilperson Alexander, the following resolution was ADOPTED by the following vote:

**AYES 5      Alexander, Rounds, Geraghty, Reed, Baker-Marcella**

**NAYS 0**

**IT IS RESOLVED, to enter into an agreement with the Warrensburg Youth Ski Commission for the Gore Regional Ski Program in the amount of \$2,000.00**

**DISCUSSION - AED PURCHASED FOR REC FIELD**

Supervisor Geraghty opened discussion telling the Town Board a Heart Start AED has been purchased for the Recreation Field following a request for one. Supervisor Geraghty said it will be kept in the Rec. Barn; Councilperson Reed has notified the coaches from Youth Football to let them know they will be given keys.

**DISCUSSION - HEALTHY COMMUNITY MAPPING PROJECT**

Kathy Varney, Healthy Heart Program Coordinator for Glens Falls Hospital discussed the Healthy Places project walking and recreational offerings from a survey taken from local residents. Ms. Varney presented the Town Board with a map of Recreational Opportunities for the Town. Ms. Varney told the Town Board they will need to develop a plan by January 1st, 2014 that details specific enhancements.

**RESOLUTION #182-13**

**SET PUBLIC HEARING FOR 2014 PRELIMINARY BUDGET**

On motion of Councilperson Rounds, seconded by Councilperson Reed, the following resolution was ADOPTED by the following vote:

**AYES 5      Alexander, Rounds, Geraghty, Reed, Baker-Marcella**

**NAYS 0**

**IT IS RESOLVED, to schedule a public hearing for the 2014 Preliminary Budget for Wednesday, November 6th, 2013 at 7:00 p.m. at the Town Hall, and,**

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**FURTHER RESOLVED to authorize the Town Clerk to publish a legal advertisement in the legal section of the Post Star advertising the public hearing.**

### **DISCUSSION - IPPS AND GARAGE SALE**

Supervisor Geraghty opened discussion telling the Town Board that he feels it is very important to critique these events and study what happened, work on it now. Supervisor Geraghty said there were a few issues and he was aware that Chris had issues with the IPP permits, people following the IPP permit policy and people selling items on the Main Street that were prohibited by the rules of the Chamber and the rules the Town adopted. Supervisor Geraghty said he thinks everybody is out to have a good time and make some money but the event costs the Chamber and the Town a good sum of money. Supervisor Geraghty said the IPP permits were started to expand the garbage pick up area and the porta johns and try to make the event bigger. Supervisor Geraghty said when we get our home grown owners of property on Main Street ignoring our rules it just puts more of a burden on the Chamber of Commerce when they are not contributing.

Chris Belden, Code Enforcement Officer, discussed his findings and his report regarding the World's Largest Garage Sale and IPP permits with the Town Board. Mr. Belden told the Town Board that there really two main issues, part of it was permits and an innumerable amount of vendors that are unaware that they need a permit or just hadn't gotten them. Mr. Belden told the Board the enforcement of checking those permits is cumbersome because there is such a large area to cover. Mr. Belden told the Town Board he is only one person and he has to stop at almost every vendor because the vendors do not display the permits. Mr. Belden said that when a vendor does not have the permit they have to come to the Town Hall to get one, this gets tough going back and seeing the same people twice, and, he is curious to see if there is a different way to streamline the permits. Mr. Belden said that was one issue he had, the other issue was prohibited items, he was around telling people that they could not sell knives during garage sale but he did notice that Chamber of Commerce had rented out to people selling knives. Mr. Belden told the Board some of the vendors were curious why you could sell them in some areas of town but not in other areas. Mr. Belden said some people did not know the rules. Mr. Belden said it could be tied in with the permit process to make it a little more difficult for people to say they did not know. Mr. Belden said he has spoken to Supervisor Geraghty about some of the issues he had.

Councilperson Alexander said maybe it was time the property owners became responsible for their vendors, that his people were being civil and getting their permits but the same people play the game every year and they should not have to be prodded, Councilperson Alexander said the first thing they should do when they get to town is to get their permits. Councilperson Alexander said he welcomed the suggestion to tell the non-chamber vendors they are not allowed on the property

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**until the permits are done, they could bring applications to him with their money and he would have no issue getting the permits.**

**Supervisor Geraghty said he thought during Bike Week most of the people who rented their property purchased the permits ahead of time for the vendors. Supervisor Geraghty said the whole idea is to help the Chamber of Commerce to offset their expenses and it is just not fair to have one guy get his permit and the guy next door not have one, they are only \$20.00.**

**Mr. Belden said it gets difficult because the Town Hall is only open on Fridays and he goes out on Saturday and it gets difficult, he had to issue some tickets this year. Mr. Belden said it is a cumbersome effort for himself, and, for the town.**

**Supervisor Geraghty said he was sure if they give it some thought they can come up with a system and make it work, rather than wait until September of next year to put some rules in place. Supervisor Geraghty said he will try to reach out to the Chamber of Commerce.**

**Councilperson Baker-Marcella it might be possible for Chris to issue the permit to the vendor at a higher rate if they didn't have it.**

**Mr. Belden said his thought on that would be there would be vendors doing that every year; he would have to walk around issuing permits.**

**Supervisor Geraghty said he felt it would logically be very, very difficult for Mr. Belden to issue permits.**

**Discussion ensued on the permit process.**

**Councilperson Baker Marcella asked if the Town Board would be receiving a report on how many permits were issued compared to last year.**

### **RESOLUTION #183-13**

### **MOVE TO ACT AS WARRENSBURG BOARD OF HEALTH**

**On motion of Councilperson Reed, seconded by Councilperson Alexander, the following resolution was ADOPTED by the following vote:**

**AYES 5      Alexander, Rounds, Geraghty, Reed, Baker-Marcella  
NAYS 0**

**IT IS RESOLVED, that this Board adjourn to act as the Warrensburg Board of Health. Time 7:45 p.m.**

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### **DISCUSSION -UNSAFE BUILDING AT 11 MARION AVENUE**

Supervisor Geraghty opened discussion telling the Town Board that they have a resolution regarding a health issue of an unsafe building on 11 Marion Avenue. Supervisor Geraghty said this is a health issue that the Board has been dealing with since June. The Town Board has worked through the Code Enforcement Officer and the Health Officer, Dr. Smead with visits to the property and it has been determined that it is in a condition that needs to be dealt with in this fashion. Supervisor Geraghty said the Town Board has a resolution regarding unsanitary conditions that they need to pass tonight that will give notice to the property owner and will set in motion the cleaning up of that property.

### **RESOLUTION #184-13**

#### **RESOLUTION REGARDING UNSANITARY CONDITIONS AT 11 MARION AVENUE**

On motion of Councilperson Alexander, seconded by Councilperson Reed, the attached resolution was ADOPTED by the following roll call vote:

**AYES 5      Alexander, Rounds, Geraghty, Reed, Baker-Marcella  
NAYS 0**

### **RESOLUTION #185-13**

#### **RECONVENE REGULAR MEETING**

On motion of Councilperson Reed, seconded by Councilperson Alexander, the following resolution was ADOPTED by the following vote:

**AYES 5      Alexander, Rounds, Geraghty, Reed, Baker-Marcella  
NAYS 0**

**RESOLVED, to close the meeting as the Warrensburg Board of Health and return to regular Town Board meeting. Time: 7:48 p.m.**

### **RESOLUTION #186-13**

#### **BUDGET AMENDMENTS AND TRANSFERS**

On motion of Councilperson Rounds, seconded by Councilperson Reed, the attached resolution was ADOPTED by the following vote:

**AYES 5      Alexander, Rounds, Geraghty, Reed, Baker-Marcella  
NAYS 0**

### **RESOLUTION #187-13**

#### **PAY BILLS**

On motion of Councilperson Baker-Marcella, seconded by Councilperson Alexander, the following resolution was ADOPTED by the following vote:

**AYES 5      Alexander, Rounds, Geraghty, Reed, Baker-Marcella  
NAYS 0**

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**RESOLVED, that the bills be paid in the following amounts as outlined on Abstract #10-13:**

General Fund	\$35,990.13
Highway Fund	\$33,515.18
Lighting Fund	\$ 5,981.25
Sewer Fund	\$13,075.11

**PRIVILEGE OF THE FLOOR-PUBLIC CONCERNS**

**Alan Hall Sr., 25 Oak Street - thanked the Town Board and Mr. Belden for acting on un-kept property at the former Kalisz property.**

**Mark Murray, 96 Lake Avenue - told the Town Board he has concern for several properties around his house that have recently turned themselves into hotels. Mr. Murray said sometimes there are up to seven families in one house, at times he is having to deal with noise, parties, fireworks, people screaming at 5:00 o'clock in the morning and various other issues. Mr. Murray said it is very annoying to have to deal with this, very disturbing. Mr. Murray told the Town Board these people are coming into a neighborhood, they are on vacation and they really want to have a good time the entire week while he just wants to rest up for work the entire week. Mr. Murray said this just kind of has happened, no one asked his opinion on it, it just happened; there are three houses right around his right now that are being used this way. Mr. Murray said it used to be just certain weeks but they are there right now. Mr. Murray said he did not think the people who actually live there are there right now, they are using the homes as vacation rentals; sometimes he has had to go down there and have confrontations because they get out of hand. Mr. Murray said he has called the Sheriff's Department because they were blaring music on speakers and the first thing the guy said to him was there is no noise ordinance. Mr. Murray said he is doing what he is supposed to do in calling but they are telling him they cannot do anything for him. Mr. Murray told the Town Board he is just asking for something that will allow them to tell them to knock it off, they are annoying people.**

**Teresa Whalen, 43 Orton Drive - said she is aware of two houses that are rented out by the week. Ms. Whalen said she would hope that when the houses are rented out there is some kind of screening process and it is stated that this is a residential neighborhood. Ms. Whalen said sometimes she has to close her windows too; there is a fire pit that is adjacent to her property that the people use. Ms. Whalen said she thinks the people need guidance. Ms. Whalen said she felt that if people were living in the house, they could monitor what was going on but that is not how the Zoning is in that area, it is single family but you can leave your house and rent the house out.**

**Councilperson Alexander said that it is common in Lake George and in Bolton for people to rent out homes for vacation rentals.**

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**Councilperson Rounds asked Mr. Belden if he has tried to contact .....tape inaudible cannot hear.**

**Supervisor Geraghty said that noise ordinances are almost impossible to enforce.**

**Discussion ensued on common courtesy.**

**Mr. Murray wondered if the town could limit the number of cars on a property.**

**Councilperson Baker-Marcella asked if letters had been sent to any of the owners of the properties or if Mr. Murray has spoken to the owners.**

**Mr. Murray said he has spoken to them, one of them was helpful and one was not.**

**Supervisor Geraghty said the response he got from the Sheriff was for Mr. Murray to call his office. Supervisor Geraghty said the Sheriff can make them move the cars off the streets, the Town can make the street no parking but for everything the Town does to take care of that one problem in that area it can affect the whole town. Supervisor Geraghty instructed Mr. Belden to check with other towns to see how it is handled, and, to write a strongly worded letter to the owners of the property.**

**Councilperson Rounds suggested the Town go back to the drawing boards and say monthly rentals only, no weekly rentals, just stop all of it.**

**Tape inaudible --cannot hear speakers.**

**Clara Bates, Main Street - told the Town Board she had major problems all weekend long with dogs on her property Garage Sale weekend. Supervisor Geraghty told Mrs. Bates the Town does have an ordinance to have the owners clean up after their dogs.**

**Discussion ensued on people bringing dogs to the Worlds Largest Garage Sale.**

**DISCUSSION - PARKING ON MAIN STREET**

**Councilperson Rounds opened discussion telling the Town Board there is an issue with people parking cars in front of the businesses on Main Street and leaving them there for hours, on purpose. Councilperson Rounds said they are contemplating petitioning the State to make that area two hour parking, the businesses are in agreement with this.**

**Teresa Whalen -told the Town Board she did not mean to sound negative but they can put up signs all day long but we do not enforce these laws, there is no one out there ticketing. Ms. Whalen said she is not suggesting the town go crazy with this**

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**but there is no deterrent. Ms. Whalen said this is just like the speeding on River Street, if a ticket isn't issued why bother having a law.**

**Discussion ensued on the car parking on Main Street.**

**Ms. Whalen asked if the Town of Warrensburg has a police officer, if they have someone who could go out and issue traffic tickets, and, parking tickets. Ms. Whalen said she felt the town should issue tickets because it is just a joke to have all of this stuff in place and not enforce it.**

**Ms. Whalen told the Town Board they have no parking signs in place at the Farmers Market, and, if they do not put out the cones people will park there and nobody will give them a ticket. Ms. Whalen said it is a safety issue.**

**Supervisor Geraghty asked Ms. Whalen if she wanted tickets issued. Supervisor Geraghty will authorize the Town Policeman to work on Friday and he will be instructed to issue tickets where he feels they are needed.**

**Ms. Whalen told the Town Board it was all about the safety issue, this Friday is the Garlic Festival.**

**Supervisor Geraghty said it is all about the safety. Supervisor Geraghty said on Rte 418 when the gentleman went to Mr. Leahman, Don called him and they discussed it. Supervisor Geraghty said they had worked with this gentleman once before about 418. Supervisor Geraghty asked the Town Board if they wished to petition the State to lower the speed limit on Route 418. Supervisor Geraghty said he did believe the Sheriff ordered radar but he did not know how many tickets were issued there.**

**Discussion ensued on radar placement in town and the results of the radar.**

**Councilperson Baker-Marcella said she would support the Town Police being down there and issuing tickets, just not all of the time.**

**On motion of Councilperson Alexander, seconded by Councilperson Rounds, the meeting was adjourned at 8:12 p.m.**

**Respectfully submitted,**

**Donna A. Combs, RMC/CMC  
Warrensburg Town Clerk**