

REGULAR MEETING WARRENSBURG TOWN BOARD, NOV. 10, 2015

The regular meeting of the Warrensburg Town Board was held on Tuesday, November 10, 2015 at the Albert Emerson Town Hall at 7:00 p.m. with the following members present:

PRESENT:	Supervisor	Kevin B. Geraghty
	Councilperson	Bryan Rounds
	Councilperson	Joyce Reed
	Councilperson	John Alexander
	Councilperson	Linda Baker-Marcella

OTHERS PRESENT: Donna A. Combs, Town Clerk; Robert Hafner, Town Attorney; Ed Pennock, Highway Superintendent; Tom Belden, Water Department Head; and numerous Town residents.

RESOLUTION #161-15

MINUTES

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

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

NAYS 0

RESOLVED, that the minutes of October 14, 2015 and October 28, 2015 be accepted.

BID OPENING-CARGO VAN

Bids were duly advertised on October 27, 2015 by placing a legal notice in the Glens Falls Post Star for a new 2016 Ford Cargo Van. The legal notice was read into the record.

Bids were received and opened from the following:

Warren Ford	\$24,610.00
West Herr	\$24,734.00 Plus additional \$200.00 F,R, Vinyl Floor Covering

RESOLUTION #162-15

AWARD BID TO LOWEST RESPONSIBLE BIDDER

On motion of Councilperson Alexander, seconded by Councilperson Rounds, the following resolution was **ADOPTED**

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

NAYS 0

IT IS RESOLVED, to award the bid to the lowest responsible bidder, Warren Ford, for a bid of \$24,610.00.

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REPORTS OF TOWN OFFICIALS

The reading of the reports of Town Officials were received and read from the following: Town Clerk, Supervisor, Assessor, Justice, Dog Control Officer and Code Enforcement Officer.

COMMITTEE REPORTS

- **Committee reports were received from the following: Beautification, Highway, Landfill, Lighting, Historian and Museum, Parks and Recreation, Sewer and Water and Youth.**

DISCUSSION - WASTE HAULING

Supervisor Geraghty opened discussion telling the Town Board that in their packets were the bids for Warren County for the waste hauling contract for the Town of Warrensburg.

RESOLUTION #163-15

TAKE LOWEST BIDDER FOR WASTE HAULING FROM WARREN COUNTY BID SHEET

On motion of Councilperson Alexander, seconded by Councilperson Rounds, the attached resolution was ADOPTED

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

NAYS 0

DISCUSSION - TIRES

Councilperson Baker-Marcella said she had a question regarding tires, and, asked if the Town Board needed to change the fee schedule.

Supervisor Geraghty said that they do not go to the burn plant so the Town may have to charge more to cover the cost of tires, they will have to do a fee schedule.

Supervisor Geraghty said the Waste Hauling contract will take effect January 1st and that he is in hopes that by the next town board meeting they will have the recycling bid for the County.

DISCUSSION - FINAL INSPECTION ON TOWN HALL ROOF

Supervisor Geraghty reported that the final walk around was done on the Town Hall roof project and Cedarwood is preparing a punch list for the Contractor. Supervisor Geraghty said he did not have any issues with the window installation.

PUBLIC ANNOUNCEMENT

Supervisor Geraghty announced the 2016 Town Budget was passed with no increase in the Town tax rate.

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DISCUSSION -SPECIAL WATER RATE REQUEST

Supervisor Geraghty told the Town Board a request was received for a special water rate for families with disabled family members.

It was determined to take no action at this time. A letter will be sent to the person who was asking for the rate.

RESOLUTION #164-15

AWARD OCCUPANCY TAX TO CHAMBER OF COMMERCE

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

AYES 4 Geraghty, Rounds, Reed, Alexander,

NAYS 0

ABSTAIN 1 Baker-Marcella

IT IS RESOLVED, to give the Warrensburg Chamber of Commerce \$1505.00 in Occupancy Tax money to pay for their advertising expenses for the 2015 Buy Local Event.

RESOLUTION #165-15

PERMISSION TO USE TOWN PROPERTIES FOR CHRISTMAS IN WARRENSBURGH 2015

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

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

NAYS 0

IT IS RESOLVED, to give permission to the Warrensburgh Beautification Committee to use the Town Hall and the Senior Citizen Building for Christmas in Warrensburgh to be held December 5, 2015.

ANNOUNCEMENTS

Supervisor Geraghty reported a resolution was passed to change the Water Fee billing schedule to increase the number of gallons included in the fee rates from 20,000 gallons to 30,000 gallons per year at last month's Town Board meeting.

Supervisor Geraghty announced the Town Board will have a workshop for 2016 Goal settings, etc. It was determined the meeting will be held on Wednesday, December 16th at 4:30 p.m. Supervisor Geraghty asked each Councilperson to prepare a list for their discussion.

Supervisor Geraghty announced staff from Representative Elsie Stefanik's office will be available to the public on Thursday, November 12th from 10:00 a.m. to Noon at the Town Hall.

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Supervisor Geraghty announced the Fire Company will host the Senior Citizens Thanksgiving Dinner on Sunday, November 22, 2015 from noon to 2:00 p.m.

DISCUSSION -LICENSE FOR PARKING WITH HHHN

Supervisor Geraghty opened discussion telling the Town Board that HHHN has agreed to put parking into the Richards Avenue parking lot and we had an agreement for them to use the Richards Avenue lot while the building was under construction; the lot is still used quite extensively. Supervisor Geraghty explained it is a municipal lot, Trip Shannon asked if we should have an agreement for five years. Supervisor Geraghty said HHHN is going to extend the lighting and pay for the cost of the electricity for those lights in that lot. Supervisor Geraghty said he emailed Bob today and asked if the Town should do anything or should they have an Adirondack agreement or something in writing.

Robert Hafner, Town Attorney said his firm drafted the original license, it has expired, he wanted to make sure there were no changes, if the Town Board wants to let them; and the word they used is lease but the word we use is license which means the Town can terminate it at any time; it is municipal property. Supervisor Geraghty told Attorney Hafner he did not want this to be exclusive.

Councilperson Baker-Marcella asked why the Town Board even needed to do this when it is public, if they want to use it. Attorney Hafner said they could not make improvements and we want them to, the general public is different than a business using this legally for their employees. Attorney Hafner said he would work on a draft license and if the Town Board does want something like that it could be in a form acceptable to the Supervisor and Town Counsel. Attorney Hafner said the idea is it has to be in common with the public, it is not exclusive. Supervisor Geraghty said there will still be a sign there that says municipal parking. Attorney Hafner said they are going to make improvements, the improvements they make are instead of paying us rent. Attorney Hafner asked if he was understanding the public could also use it in common with their employees. Attorney Hafner asked who was going to take care of the plowing; Supervisor Geraghty said that we do, the Town does.

Attorney Hafner told the Town Board he would work on a draft and if the Town Board wanted to they should do a resolution authorizing a license in form acceptable to the Supervisor and Town Counsel.

RESOLUTION #166-15

RESOLUTION AUTHORIZING A LICENSE WITH HUDSON HEADWATERS HEALTH NETWORK FOR RICHARDS AVENUE PARKING LOT

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

AYES 4 Geraghty, Alexander, Rounds, Reed

NAYS 1 Baker-Marcella

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IT IS RESOLVED, the Supervisor and Town Counsel are authorized to issue a license to the Hudson Headwaters Health Network for the Municipal parking lot on Richards Avenue.

PRIVILEGE OF THE FLOOR

Alan Hall donated a paper that was called "Doings In the Old Home Town" that was written when he was five years old, he is now seventy five, that his sister found in his fathers' files to the Town Historian or to the Town Museum.

Peggy Knowles, James Street-thanked the Town and the Town Highway for the new sidewalks in the Town. Mrs. Knowles gave special thanks to Ed Pennock and his crew for helping out.

Alan Hall asked questions about an article he saw about a possible lawsuit from the other person running for election for town board for enforcing the Town's law regarding keeping political signs out of the highway right of way.

Supervisor Geraghty told Mr. Hall that yes, that person did serve the Town, the Town is still potentially facing a lawsuit. Supervisor Geraghty said the Town did remove the signs, he talked it over with Chris and they will talk about it in the future whether to keep all signs out of Town right of ways. Supervisor Geraghty said the Town was taken to court, basically the Judge threw it out after the Town's law firm represented the Town in Federal Court because the Town had removed the gentleman's two signs. Supervisor Geraghty said it was not just political signs, there were business signs removed, in total there were thirty five signs removed, eleven or twelve were political signs.

Mr. Hall told the Town Board about an incident that involved removing political signs quite a few years ago when he was working for Warren County he was asked to pick up political signs by Warren County that were in the County right of way. Mr. Hall said it was a law that you could not put them there, he had orders from DPW office to pick them up. Mr. Hall said he knew it was the law and someone running for a position on the Town Board should have at least had an idea that it is the law.

Supervisor Geraghty told Mr. Hall that as is any regulation, there are pros and cons to the regulation and the Town Board will seat as a Board and try and come up with a position that is suitable for everybody in the future.

Jerry Reed, Lake Avenue-said he had noticed a lot of the telephone poles are a little on the bent side and asked who owns them. Mr. Reed also thanked the Warrensburg Fire Department for all that they do for the residents in the Town.

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Councilperson Baker-Marcella asked the Supervisor to add the title of old business to the Town Board meeting Agenda. It was explained that old business is conducted under Unfinished business. Discussion ensued.

Councilperson Baker-Marcella- asked for a damage report on the Recreation Field and Town equipment from recent vandalism that occurred on Halloween.

Councilperson Baker-Marcella thanked the Town Board for their support of the Chamber, and said this is the third annual one this year for the By Local event.

Discussion ensued regarding Town Board questions on the agenda items, preparation of the Meeting Agenda and numerous other areas regarding the Meeting Agenda.

RESOLUTION #167-15

PAY BILLS

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

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

NAYS 0

RESOLVED, to pay the warrants as outlined on Abstract #11-15 in the following amounts:

General Fund	\$26,610.52
Highway Fund	\$ 6,666.65
Brownfield Paper Mill Park Cap.	\$ 1,978.00
Countryside Adult Home Sewer	\$19,902.50
Street Lighting	\$ 6,249.14
Safe Routes to School Cap.	\$59,729.98
Sidewalks Cap.	\$ 6,017.99
Floyd Bennett Memorial Band.	\$ 250.65
Sewer Fund	\$ 7,325.40
Water Fund	\$14,098.14

On motion of Councilperson Alexander, seconded by Councilperson Rounds, the meeting was adjourned at 7:49 p.m.

Respectfully submitted,

Donna A. Combs, Town Clerk