

May 22, 2008

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, May 22, 2008 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor Sweeton called the meeting to order at 7:35 p.m.

**ATTENDANCE:** Supervisor Michael Sweeton  
Councilman Floyd DeAngelo  
Councilman Leonard DeBuck  
Councilman James Gerstner  
Councilman Mickey Shuback

Town Attorney, John Hicks  
Deputy DPW Commissioner, Benjamin Astorino  
Police Chief, Thomas F. McGovern, Jr.

**POLICE PRESENTATION:**

Police Chief, Thomas McGovern introduced Police Officer Kevin Halsey and his dog Riley who participated in a competition and was the number one dog in the competition in three states. The Town Board is going to let us display some of his trophies in the lobby display case. The following officers received commendations in their personnel files for not using any sick time: Police Chief Thomas McGovern, 3 consecutive years, Sergeant John Rader, 7 consecutive years, Sergeant Morley, 7 consecutive years, Officer Michael Moon, 2 consecutive years, and the following Police Personnel did not use any sick time for the 2007 year: Officer Frederick Hoffman, Officer Jason Braiser, Officer Nathaniel Petrosky, Officer Thomas Welch, Officer Brian Luthin, and Dispatch Kelly Pikul. Police Dispatchers Donna Specht, Kelly Chirico and Officer Paul Todora were presented with a commendation and a citation to be worn on their uniforms for assisting to a call in the Village of Florida for and abduction of a child near St. Joseph's School on Glenmere Avenue. Police Officer Brett Lukach was presented with a commendation and a citation to be worn on his uniform for exceptional police duty in assisting with the arrest of two individuals for several burglaries. Police Officer Felix Oresto was presented with a commendation and a citation to be worn on his uniform for being the leading officer to enforce traffic safety for the year 2007 with the following statistics, 616 traffic summonses issued, 40 arrests, and 20 driving while intoxicated or driving while ability impaired arrests. Police Officer Robert DeYoung was presented with a commendation and a citation to be worn on his uniform for leading the Part-Time Police Officers in the Town of Warwick Police Department in traffic enforcement for the 2007 year and was the second highest behind Officer Oresto. Detective Michael Hoffman was presented with a commendation and a citation to be worn on his uniform for detecting a chimney fire on Sanfordville Road. Detective Shawn Tetzlaff was presented with a commendation and a citation to be worn on his uniform for arresting suspects that were wanted for several burglaries in the area. Officer Jason Marsh and Detective Frederick Hoffman were presented with a commendation and a citation to be worn on their uniforms for assisting in arrests for writing bad checks at local businesses. Sergeant Alton Morley was presented

with a commendation and a citation to be worn on his uniform for taking charge of the scene and coordinating efforts to the incident command system with the Warwick Fire Department and the Warwick Ambulance Corp. for the Borderland Farms fatal fire. Officer Michael Moon was presented with a commendation and a citation to be worn on his uniform for rescuing the owner of the home at Borderland Farms, Virginia Martin. Sergeant John Radar, Officer Brett Lukach and Officer Ron Donnatin were presented with a commendation and a citation to be worn on their uniforms for using a defibrillator to save a Town of Warwick resident Dick Wells. Dick Wells personally thanked the three officers for saving his life with a card/plaque. Officer Jason Marsh and the Police Chief presented Supervisor Sweeton with a plaque for volunteering to be tasered.

Supervisor Sweeton – Offered the Boards thanks and congratulations. Most of what you do each and everyday is never seen or recognized by the residents, but the examples we've heard tonight we know you're out there every single moment and when someone is in need, you're there. We do appreciate everything you do for us in this town.

**ACCEPTANCE OF MINUTES:**

**1. Regular Meeting, 05/08/08**

Motion Councilman Shuback, seconded Councilman DeAngelo to accept the minutes as written from the regular meeting held on May 8, 2008. Motion Carried (5 ayes, 0 nays)

**CORRESPONDENCE:**

**JOSEPH L. DONNELLY** – President, Ye Jolly Onion Inn, County Route 1, Pine Island, NY 10969 – Letter to the Town Clerk informing that the Ye Jolly Onion Inn is planning to have a fundraiser on Saturday, June 14, 2008 from 11:00 a.m. until 5:00 p.m.

**WILLIAM OLSEN** – 14 Clinton Avenue, Warwick, NY 10990 – Letter to the Town Clerk requesting to be re-appointed to the Town of Warwick Conservation Board.

**GREGOR SIROTOF** – 80 Blueberry Hill, Greenwood Lake, NY 10925 – Letter to the Town Clerk requesting to be re-appointed to the Town of Warwick Conservation Board.

**ANDREW MCLAUGHLIN** – 92 Bittersweet Way, Warwick, NY 10990 – Letter to the Town Clerk requesting to be re-appointed to the Town of Warwick Conservation Board.

**WAYNE A. MILLER** – Commander, Polish Legion of American Veterans Post 16, 16 Legion Road, Pine Island, NY 10969 – Letter to the Supervisor inviting him to attend our Memorial Day Service on Monday, May 26, 2008 at 8:00 a.m.

**THOMAS F. MC GOVERN, JR.** – Police Chief, Town of Warwick - Memo to the Town Board requesting a budget transfer in the amount of \$7,957.97 from the sale of police vehicles be transferred into the Police Department Vehicle Equipment Budget Line B02-3120-200.

**GAIL V. SAMPSON – President, Yung-Sam Ski Ltd., T/A Mt. Peter Ski Area, P.O. Box 425, Warwick, NY 10990 – Letter to the Town Clerk notifying the Town of Warwick that we are renewing our liquor license for a two year term.**

**M. JOHN BATZ SR. – Building Inspector, Town of Warwick, Warwick, NY 10990 – Letter to the Supervisor and Town Board requesting that a temporary trailer permit bond be refunded to Dennis Gallagher in the amount of \$1,000.**

**M. JOHN BATZ SR. – Building Inspector, Town of Warwick, Warwick, NY 10990 – Letter to the Supervisor and Town Board regarding 76-1-5, 8 Wendy Way, the Town of Warwick Justice Court has determined that the above mentioned parcel should not be used for residential occupancy and has suggested the building department post a notice advising of such. This notice will be posted on May 14, 2008. The building department is requesting the Town Board declare this building unsafe per chapter 67-5 utilizing 67-3 (A) (5) because of a failed septic system and an exposed 220 volt electric service line that supplies electric to the well.**

**M. JOHN BATZ SR. – Building Inspector, Town of Warwick, Warwick, NY 10990 – Letter to the Supervisor and Town Board regarding 94-6-18, 73 Evan Road deck collapse. There are no records indicating the deck was inspected by the building department. The building department investigated on Saturday shortly after the collapse and observed that the deck had pulled away from the main structure. I researched the files and the certificate of occupancy was issued March of 1998 without the deck. The deck was added at a later date by the developer. There are no records indicating the deck was inspected by the building department. I would like to suggest the residents of Kings Estates be advised to have there deck inspected by a professional to prevent further problems.**

**CONNIE SARDO – Secretary, Town of Warwick Planning Board – Letter to the Supervisor and Town Board requesting a refund on the balance of an escrow in the amount of \$912.00 to Armando & Antonia Mastrantoni.**

**CONNIE SARDO – Secretary, Town of Warwick Planning Board – Letter to the Supervisor and Town Board requesting a refund on the balance of an escrow in the amount of \$2,393.50 to Kirk Rother.**

**ANDREW M. CUOMO – NYS Attorney General, State of New York Office of the Attorney General, Division of Regional Offices, Poughkeepsie Regional Office, Poughkeepsie, NY – The Office of the Attorney General is coming to the Mid-Hudson region. I am writing to invite you to join me and my senior staff at a community forum on Thursday, May 29<sup>th</sup> at 7:00 p.m. at the Monhagen Middle School at 555 County Route 78 in Middletown, New York. We are hosting this meeting to discuss issues of concern to the area. If you have any questions, please contact our Poughkeepsie Regional Office at 845-485-3916 or visit our website at [www.oag.state.ny.us](http://www.oag.state.ny.us).**

**GAIL HEATON – Orange County Department of Planning, 124 Main St., Goshen, NY 10924 – Memo announcing that the FHWA has just released a resident’s guide for creating safe walkable communities. Cornell local roads programs is hosting another workshop, Complete Streets: Planning Safer Communities for Bicyclists and Pedestrians. Register to Cornell Local Roads Program, 416 Riley-Robb Hall, Ithaca, NY 14853-5701 or fax to 607-255-4080. For more information on this or other NHI Training courses, visit the NHI website at <http://www.nhi.fhwa.dot.gov/home.aspx>.**

**ORANGE COUNTY CITIZENS FOUNDATION – P.O. Box 525, Sugar Loaf, NY 10981 – Innovations in Decentralized Wastewater Management, Friday, May 16, 2008 from 8:30 a.m. until 1:30 p.m. at the Lycian Centre, 1351 Kings Highway, Sugar Loaf, New York. For more information or to register for this event, contact the Orange County Citizens Foundation at 845-469-9459 or visit our website at [www.occitizensfoundation.org](http://www.occitizensfoundation.org).**

**TOWN OF MONROE TOWN BOARD – 11 Stage Road, Monroe, NY 10950 – Notice of completion of final generic environmental impact statement on the Town of Monroe Comprehensive Plan Update 2005, Town of Monroe Town Board, County of Orange. The Town of Monroe Town Board, acting as SEQR Lead Agency and as the sole involved agency for review of the following action, hereby issues notice that it has filed a Final Generic Environmental Impact Statement (FGEIS) pursuant to Article 8 of the State Environmental review of the action.**

**CONTACT PERSON: Honorable Sandy Leonard, Supervisor Town of Monroe**

**ADDRESS: Town Hall-11 Stage Road  
Monroe, NY 10950**

**NAME OF PROJECT: Adoption of Town of Monroe Master Plan, Comprehensive Update 2005, (dated November 29, 2007) (as amended)**

**LOCATION: Town-wide – Town of Monroe, County of Orange**

**SEQRA STATUS: Type 1**

**PROJECT DESCRIPTION: The action is the proposed adoption of a Comprehensive Plan titled Town of Monroe Master Plan – Comprehensive Update 2005 (dated November 29, 2007).**

**Date of Resolution to Accept FGEIS: May 5, 2008**

**Date of Filing: May 6, 2008**

**Close of Consideration Period: May 16, 2008**

**MARY ELLEN O’CONNOR – Town of Warwick Police Dispatcher – Letter to the Town of Warwick resigning from the Town of Warwick Police Department.**

**WESTCHESTER COUNTY DEPARTMENT OF PLANNING – 148 Martine Avenue, Room 432, White Plains, NY 10601 – Thinking Beyond the S.T.O.R.M.: A workshop on the storage and treatment of runoff in municipalities to be held on Wednesday, June 4, 2008 at the Westchester County Center, 198 Central Avenue, White Plains, NY 10606. For more information please call 914-995-4407 or [lav2@westchestergov.com](mailto:lav2@westchestergov.com).**

**PATTERN FOR PROGRESS – 6 Albany Post Road, Newburgh, NY 12550 – Presents the Second Annual Housing The Hudson Valley Conference on Affordable and Workforce Housing for June 11, 2008 at Marist College, Nelly Goletti Theater, 3399 North Road, Poughkeepsie, NY. To register, contact: Pattern for Progress at 845-565-4900 or [www.pattern-for-progress.org](http://www.pattern-for-progress.org) or [rdegroat@pfprogress.org](mailto:rdegroat@pfprogress.org).**

**COUNTY OF ORANGE – 255 Main Street, Goshen, NY 10924 – Announces the 2008 Orange County Earth & Water Festival to be held on Saturday, June 7<sup>th</sup> from 11:00 a.m. until 6:00 p.m. at the Thomas Bull Memorial Park, Day Camp Area, Route 416 in Hamptonburgh, New York. Admission is free. For more details please visit [www.waterauthoriy.orangecountygov.com](http://www.waterauthoriy.orangecountygov.com), [www.orangeenvironment.org](http://www.orangeenvironment.org) or [www.orangecountygov.com](http://www.orangecountygov.com).**

**CHRISTOPHER P. CAMMARATA – Programs Coordinator, Orange County Division of Emergency Management, 255 Main Street, Goshen, NY 10924 – The Orange County Division of Emergency Management is sponsoring an Incident Command System-Intermediate (I-300) course to be held at the Orange County Community College, Middletown, NY, on June 16, 17, and 18, 2008. There is no fee for the course. Contact Christopher Cammarata, Orange County Division of Emergency Management 845-291-3199 to register. Registration deadline is 1700 hrs. Monday, June 1, 2008.**

**SUZYN BARRON – President, Warwick Valley Humane Society, Inc., P.O. Box 61, 48 Public Works Drive, Warwick, NY 10990 – Letter to Councilman DeAngelo requesting Neal Gottfried be appointed as a Town of Warwick Animal Control Officer.**

#### **VISITING ELECTED OFFICIALS**

Supervisor Sweeton introduced Hon. Annie Rabbitt, Assemblywoman, 97<sup>th</sup> District – I can't thank the Supervisor and the Town Board enough for all of the leadership in the Town of Warwick. Every time I attend an event in the Town of Warwick I can't tell you how many people stress how wonderful things are going and how great it is. I'm so proud.

Supervisor Sweeton introduced Hon. Ben Winstanley, Orange County Legislator, District 10 – All of the information for the grants for the parks is in, so keep your fingers crossed.

#### **REPORTS OF BOARDS AND COMMISSIONS**

Supervisor Sweeton stated that he has the Police Department Report and the Building Department Report for the month on file if anyone is interested.

#### **COMMITTEE REPORTS**

#### **DEPARTMENT OF PUBLIC WORKS REPORT**

<u>WORK BEING DONE</u>	<u>LOCATION</u>	<u>REASON FOR WORK</u>	<u>LENGTH</u>
CULVERT PIPES	Cascade Rd.	Replace pipe across road	15" x 40'
STORM DRAINS	Green Meadow Rd.	Repair eight basins	
	Eden Hill Rd.	Repair four basins	

	Shadow Dr.	Repair eight basins
	131 Big Island Rd.	Repair one basin
OTHER	Pine Island	Prep area and plant six trees
MOWING	Cul-de-sacs town wide	Mow cul-de-sacs
	Union Corners Town	
BALL FIELDS	Park	Mow & maintain, fertilize & seed when necessary
POT HOLES	Town wide	
ROAD REPAIR	Foley Rd.	Blacktop road edges & ditches
ROAD SIGNS	Town wide	Replace & repair as needed
	Union Corners Town	
HAUL MATERIAL	Park	Haul topsoil for new field
	Stockpile	Haul chip stone
TOWN BEACH	Greenwood Lake	Rebuild lifeguard chairs
TOWN PARK	Union Corners Rd.	Finish grading small 40 yd. x 60 yd. field

### **COUNCILMAN DEANGELO REPORT**

**1. For the month of April the Police Department answered 2,271 and it was broken down by the four posts, in Greenwood Lake it was 12%, Town of Warwick it was 37%, Pine Island it was 15%, and the Village of Warwick it was 35%. I would like to congratulate Dispatcher Michael Finn; as of May 14, 2008 he had accumulated as far as alarm registrations and fines that were collected a total of \$3,800.00.**

### **COUNCILMAN DEBUCK REPORT**

**1. There has been more work in the planning of building a pergola at the Waterfront Park and hopefully at our next meeting we'll ok a contractor and low bidder for supplies working with a team of volunteers to build that Pergola in that park with grant funds that we received. The fencing that we put a bid out on will be completed tomorrow at Union Corners Park and I think the contractor thus far has done a very good job delivering what he said he would deliver.**

**2. I would like to mention on behalf of a few of the employees at the Department of Public Works a week ago on Orange County right-of-way property, but within the hamlet of Pine Island, we needed some construction done in order to install some shade trees in that intersection. Michael Sweeton helped us in getting a permit, but Jeff Feagles dispatched machinery operator Tom Fuller to prepare the 14" deep pits and also worked with Tim Feagles and Mike Corkum. Two days later the contractor came and poured the curbs. The next morning Commissioner Feagles himself and again Mike Corkum, Tim Feagles and machine operator Tom Fuller put in the 6 trees in Pine Island. I thought that was exceptional duty on their behalf to help out the Pine Island Chamber of Commerce. The Pine Island Chamber is not a taxing entity, but yet a volunteer entity that simply has some dues. For us to tackle such a community project with putting in that many trees and getting help from our Town's Department of Public Works I thought that was terrific on their behalf.**

**3. Monday is Memorial Day and being honored to those who have served our country and our deceased. There is a mass in Pine Island at St. Stanislaus Church at 8:00 a.m., but**

there is a parade that steps off at 9:00 a.m. outside of St. Stanislaus Church and will end at the gravesite program at 10:00 a.m. and then there will be refreshments at the P.L.A.V.

**COUNCILMAN GERSTNER REPORT**

1. The Recreation Commission meeting for June will be held on a weekend we are going to go out and review and survey the park. I would like to thank Mike Cipolla our recreation director for handling the scheduling of the conflicts that have risen with the fields. He's doing a great job on that.

2. I would like to wish everybody a nice Memorial Day weekend and no matter where you are try and participate in one of the events.

**COUNCILMAN SHUBACK REPORT**

No report was given.

**ATTORNEY'S REPORT**

No report was given.

**TOWN CLERK'S REPORT**

1. Requests for Proposals for construction of a pergola at the Waterfront Park in Greenwood Lake were received and are listed below.

a. Roe Brothers 65 Maple Ave. Florida, NY 10921 (845) 651-4025	Materials - \$4,622.40 Drill 14 post holes - \$500.00 * Total Quote - <u>\$5,122.40</u>
b. Greenwood Lumber 702 Jersey Ave. Greenwood Lake, NY 10925 (845) 477-2699	Materials - \$3,956.56 Drill 14 post holes - No quote Total Quote - <u>\$3,956.56</u>
c. Kuiken Brothers Co. 33 South St. Warwick, NY 10990	Materials - \$4,474.22 Drill 14 post holes - No quote Total Quote - <u>\$4,474.22</u>

2. Proposals for the lease of two (2) Class 5 Truck Cab & Chassis Units, 19,500 lb. GVW, 4 x 4, Automatic, Power Steering, Power Brakes, Air conditioning, 9 ft. Boss plow plus MG body with all applicable equipment were received from:

		<u>Unit 1</u>	<u>Unit 2</u>
a. Chrysler Jeep Dodge of Warwick PO Box 910 185 Route 94 Warwick, NY 10990 Tel.# (845) 986-2021	Chassis Cost Equipment & Modifications * Net Cost * Monthly Payment Buyout after 60 mo.	\$36,180.00 \$37,400.00 \$73,580.00 \$1,375.21 \$14,716.00	\$36,900.00 \$37,400.00 \$74,300.00 \$1,388.67 \$14,860.00
	* excludes tax & motor vehicle charges		
b. Quality Bus and Truck Center 201 Charles St. Maybrook, NY 12543 Tel.# (877) 782-5725	Monthly Payment Term 60 months Interest Rate 4.48%	\$1,208.60	\$1,208.60

**Supervisor Sweeton – For the public and the Boards information we had attempted to get lease quotes from three vendors for these vehicles under general municipal law. If it's a true lease that is redeemed for market value at the conclusion of the lease that's a non-biddable entity under general municipal law. We were not successful in getting the three proposals in time for this evenings meeting, so we won't be entertaining that at this evenings meeting. We will however entertain a motion to go out to bid for the purchase and or lease of these vehicles tonight. Originally we had gotten lease quotes that were deemed to be installment contracts with zero buyout at the end of the lease. That is a biddable entity under general municipal law, so in any event we would have had to bid it, so tonight we will solicit bids.**

**Councilman DeAngelo – This second bid from Quality Bus and Truck Center did it break it out?**

**Supervisor Sweeton – Yes, the information is not here because we didn't get the third bid and we are not entertaining it as a true market value lease.**

**Councilman DeAngelo – On this pergola are they going to drill the holes even though they didn't quote it?**

**Supervisor Sweeton – No. We are not accepting any bids on that this evening either.**

**Councilman DeBuck – When we asked them for the materials we made it optional because some lumber yards have a post hole digger and some do not and sometimes they do gratis and sometimes they charge.**

**Supervisor Sweeton - We have a grant for this project and we were going to try to pattern it after the project of building the stage at the Waterfront Park, which was half volunteers and half paid skilled labor. Some of the materials are being paid for, so we sought proposals as our procurement policy requires for the materials. The additional laborer that's required is going to also have to be sought as proposals because the dollar quantity was exceeded; a thousand dollars.**

#### **SUPERVISOR'S REPORT**

**1. I have gotten a few calls on and many more people have seen and thought about is the fact there are some police vehicles at some of the construction sites for the Millennium Pipeline. Precision Pipeline, which is the company hired by Millennium to do the work had come to the Town because of safety concerns. There are sections where they are working where there's not adequate site distance and while they have flag people which they will continue to have, cars were not heeding the warnings of the flag people, so they requested assistance from the Town in the form of police officers. We signed an agreement with them where by they will cover the entire cost of the police time at an overtime rate including all of their benefits. In addition, they will be paying for the use of the police vehicles and fuel while they are being used by the police officers. I have received several calls why are our**

police doing this and there is no cost of this to the taxpayer, in fact, the Town is probably going to make a little bit on this depending on how the expenses go.

2. Memorial Day is on Monday and all four sections of our Town have very strong celebrations. Councilman DeBuck mentioned the Pine Island events starting at 8:00 a.m. with a mass followed by the parade at 9:00 a.m. The Village of Warwick parade kicks off at 11:00 a.m. in front of Village Hall proceeds to the Warwick Cemetery where there is a brief ceremony and then proceeds to St. Stephens Cemetery where there is another ceremony and ends in Memorial Park. The Village of Florida is holding their parade which will start at 2:00 p.m. at Village Hall in the Village of Florida march through the center of town and end at the cemetery where there will be a short ceremony. In Greenwood Lake the American Legion Post will be holding a ceremony at 2:00 p.m. at the Legion Hall. It's very, very important to spend just a few moments at one of these events to honor those who have lost their lives to give the freedom to have these meetings and enjoy the lives that we do. I urge everyone to please just take a few moments to do that.

3. I've been asked to serve on a stakeholders committee meeting by the New Jersey Transportation Planning Authority to consider bus transportation in Northwest New Jersey and how that can be improved, which includes the border communities. I was thankful that I was invited to participate and I look forward to carrying concerns of our residents for possible extension of service from Warwick into Northern New Jersey and perhaps linking up with some of the train facilities in New Jersey.

4. I would like to thank Detective/Sergeant John Hansen, Patrolmen Al Nicholas, Michael Finn, Frank McHugh, Robert Bird and Navigation Officer John Corcoran for their assistance in helping us get the beach ready for the opening of the season by setting the rafts and all of the other things that we require to run a safe beach. We have received our permit from the Orange County Health Department and we've sold the first of our corporate passes for a bed and breakfast to send their guests to the beach.

5. Supervisors Corner is published in the Warwick Dispatch and the Greenwood Lake News.

**PRIVILEGE OF THE FLOOR (AGENDA ITEMS)**

There were no comments or questions on the agenda items.

**NEW BUSINESS:**

**#R2008-164 AUTHORIZATION TO SIGN INTER-MUNICIPAL AGREEMENT –  
GREENWOOD LAKE DPW SERVICES**

Motion Councilman DeAngelo, seconded Councilman Shuback to adopt the following resolution:

WHEREAS, it is an important and integral function of a municipality to provide public works services to the residents and businesses including, but not limited to road maintenance and repair, snowplowing and sanding of roadways, and for the maintenance and repair of storm water sewer and municipal water supply infrastructure, and

WHEREAS, the Village of Greenwood Lake is also charged with the responsibility of maintaining the fiscal health of the municipality and therefore must provide these services in a cost effective manner, and

**WHEREAS, increasing real property taxes place an extreme financial burden on their residents and business owners, and**

**WHEREAS, the State of New York encourages the efficient and cost effective delivery of municipal services and encourages cooperation among municipalities to deliver municipal services in a cost effective manner through the use of inter-municipal agreements, and**

**WHEREAS, under Article 5-G Section 119-o of the General Municipal Law of the State of New York, municipalities have the authority to enter into inter-municipal agreements and jointly perform services regarding subjects each separately has the power to perform; and**

**WHEREAS, this inter-municipal agreement is voluntary and will not be construed so as to interfere with or diminish any municipal powers, authority, or regulatory authority of any of the participating municipalities, and**

**WHEREAS, it is in the best interest of the Village of Greenwood Lake to enter into an inter-municipal agreement with the Town of Warwick for the efficient and cost effective delivery of public works services to the residents and business owners of the Village of Greenwood Lake.**

**IT IS HEREBY RESOLVED, that the Supervisor is hereby authorized to execute on behalf of the Town of Warwick, an inter-municipal agreement which will provide public works services, upon such terms and conditions agreeable to both the Town of Warwick and the Village of Greenwood Lake.**

**Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.**

**Discussion: Councilman DeBuck – I think we had comments at our previous meeting and as this resolution reflects it's wise government to follow the people in Albany that tell municipalities that it's better to have fewer levels of government and if there is a way to combine services or jointly provide services particularly if it's at fiscal cost then we should do so. I want to congratulate and thank you Michael for your work as well as Councilman Shuback and Commissioner Feagles who really lead in our teams effort of discussing what the needs are in Greenwood Lake and working with their team to deliver their public works work. It may not be perfect and will probably take a little time for the relationship to run smooth, but I think it will be renewed a year from now.**

#### **#R2008-165 DPW APPOINTMENT – LABORER**

**Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to appoint David Rudy as a Laborer at a rate of pay of \$15.35 per hour, Grade 4, Step 1, effective June 2, 2008.**

**Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.**

**Discussion: Supervisor Sweeton stated that himself, Councilman Shuback and Commissioner Feagles interviewed 10 candidates for this position that we had budgeted for our department earlier in the year and Mr. Rudy was the top candidate.**

**#R2008-166 DPW APPOINTMENTS – LABORERS**

**Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to appoint Robert J. Lewis and Brian Prall as Laborers to work in the Greenwood Lake area of the Town each at a rate of pay of \$15.35 per hour, Grade 4, Step 1, effective June 2, 2008.**

**Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.**

**Discussion: Supervisor Sweeton stated that these were two individuals from the current department in the village.**

**#R2008-167 DPW APPOINTMENTS – MOTOR EQUIPMENT OPERATORS**

**Motion Councilman Shuback, seconded Councilman DeAngelo to adopt a resolution to appoint John G. Smith and Walton C. Landru as Motor Equipment Operators at a rate of pay of \$20.44 per hour, Grade 5, Step 3 and \$22.26 per hour, Grade 5, Step 5, respectively, effective June 2, 2008.**

**Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.**

**Discussion: Supervisor Sweeton stated that this is a seniority appointment within the department.**

**#R2008-168 DPW APPOINTMENT – MECHANIC**

**Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to appoint Brian A. Moeller as an automotive mechanic at a rate of pay of \$17.39 per hour, Grade 7, Step 1, effective June 2, 2008.**

**Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.**

**Discussion: Supervisor Sweeton stated that Brian will be the mechanic stationed in the Village of Greenwood Lake.**

**Councilman DeAngelo – He was with Greenwood Lake?**

**Supervisor Sweeton – Correct.**

**#R2008-169 ACCEPT RESIGNATION – ANIMAL CONTROL OFFICER – RYAN  
DENERLEY**

**Motion Councilman DeAngelo, seconded Councilman DeBuck to adopt a resolution to accept the resignation of Animal Control Officer, Ryan Denerley, effective immediately.**

**Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.**

**#R2008-170 APPOINTMENT OF ANIMAL CONTROL OFFICER – NEAL GOTTFRIED**

**Motion Councilman DeAngelo, seconded Councilman DeBuck to adopt a resolution to appoint Neal Gottfried as an Animal Control Officer for the purpose of conducting dog enumerations effective May 24, 2008.**

**Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.**

**#R2008-171 AUTHORIZE PURCHASE OF COPY MACHINE FOR DIAL-A-BUS**

**Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to authorize the Transportation Coordinator, Sharon Lisberg, to purchase a Konica Minolta C353 photocopier machine for Dial-A-Bus in the amount of \$9,980.00, from State Contract. Monies are appropriated in the Dial-A-Bus equipment budget code.**

**Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.**

**Discussion: Supervisor Sweeton stated that he will bring to the next meeting copies a new set of schedules and brochures that the town received funding from the State, which are very helpful and very well received by the ridership. It is anticipated that will go into the Dial-A-Bus building that we received a grant funding for once that works its way through the federal process. We weren't going to purchase it right away, but the old machine crapped out before the building got built.**

**Councilman DeBuck – Is Sharon putting together a particular route that's going to pick children up or take them to the beach?**

**Supervisor Sweeton – We ran that last year and we called it the beach bus and it ran throughout the town and it went with lukewarm reception, but we will attempt to do it again. We are trying to coordinate a little bit better. I know the daycare kids go on the bus, so we'll work on that.**

**#R2008-172 ACCEPT RESIGNATION – PART TIME DISPATCHER – MARY ELLEN O'CONNOR**

**Motion Councilman DeAngelo, seconded Councilman Shuback to adopt a resolution accepting the resignation of Mary Ellen O'Connor, part-time dispatcher, effective immediately.**

**Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.**

**#R2008-173 APPOINTMENT OF PART TIME DISPATCHER – JEREMY COHEN**

**Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to appoint Jeremy Cohen as a part time Dispatcher at a rate of pay of \$13.33 per hour effective May 31, 2008.**

**Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.**

**#R2008-174 ACCEPTANCE OF BID – CLEAN-UP OF DEER TRAIL PARCEL #72-2-6.1**

**Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to accept the bid from RS Landscaping, 273 Little York Rd., Warwick, NY 10990 for the clean-up of Deer Trail parcel #72-2-6.1 at a cost not to exceed \$2,730.00.  
Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.**

**Discussion: Supervisor Sweeton stated that this is a debris cleanup project that goes on their taxes.**

**#R2008-175 ESCROW REFUND – LUDMERER/JONES RD.**

**Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt a resolution to authorize a refund in the amount of \$912.00, the balance of the escrow SBL# 41-1-85, to Planning Board applicant Armando and Antonia Mastrantoni, as per the recommendation of the Planning Board Secretary; letter dated May 16, 2008.  
Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.**

**#R2008-176 ESCROW REFUND – MEADOWVIEW PROFESSIONAL BUILDING**

**Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to authorize a refund in the amount of \$2,393.50, the balance of the escrow SBL# 46-1-106, to Planning Board applicant Kirk Rother (Meadowview Professional Building), as per the recommendation of the Planning Board Secretary; letter dated May 16, 2008.  
Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.**

**#R2008-177 SPECIAL EVENT PERMIT – CAR SHOW**

**Motion Councilman DeBuck, seconded Councilman Shuback to adopt a resolution to authorize the “Ye Jolly Onion Inn” Restaurant to hold a Car Show fund raiser Saturday, June 14, 2008 from 11:00 a.m. to 5:00 p.m. subject to approval by the Chief of Police and proof of proper insurance.  
Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.**

**#R2008-178 REFUND TEMPORARY TRAILER BOND – GALLAGHER**

**Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to authorize the release of the bond in the amount of \$1,000.00 to Dennis Gallagher, 137 Glenmere Homesites Rd., Florida, NY 10921, that he posted for a temporary trailer that was used as living quarters during construction of his home that was damaged by fire.  
Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.**

**#R2008-179 UNSAFE BUILDING – SCHEDULE HEARING – HELINSKI – SBL#76-1-5**

The following letter of recommendation was received from M. John Batz, Sr., Town of Warwick Building Inspector, 132 Kings Highway, Warwick, NY 10990:

“The Town of Warwick Building Department has determined that the above mentioned parcel 76-1-5 owned by Helinski on 8 Wendy Way should not be used for residential occupancy and has suggested the building department post a notice advising of such. This notice will be posted on May 14, 2008 before noon. The building department is requesting the Town Board declare this building unsafe per chapter 67-5 utilizing 67-3 (A) (5) definitions, because of a failed septic system (2 dye tests administered by the Orange County Board of Health) were conducted and a 220 volt electric service line that supplies electric to the well approximately 300’ from the house that was exposed on top of the ground. I have obtained permission from the owner while in court on another matter for the building inspector to enter the basement to turn off the power to the well until the wire is installed properly. We request this structure not be occupied or utilized until an approved septic has been installed and certified.”

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt the following resolution to Order the Repair or Removal of Structure(s), Tax Map Section 76, Block 1, Lot 5:

WHEREAS, the Town Code Enforcement Officer of the Town of Warwick has made a personal inspection of structure(s) located at 8 Wendy Way, Warwick, NY, designated as Section 76, Block 1, Lot 5 on the Tax Map of the Town of Warwick and has deemed the said structure(s) to be dangerous or unsafe to the public as defined in Chapter 67-3 of the Code of the Town of Warwick, and such determination has been reported to the Town Board, and

WHEREAS, the Town Board, after reviewing said report and the Code Enforcement Officer’s recommendations pertaining thereto, and having duly deliberated thereon:

**NOW THEREFORE BE IT RESOLVED** as follows:

The Town Board determines that the structure(s) located at the above address, record owner being Joan and Mary R. Helinski, is dangerous and unsafe to the public and shall be repaired or removed by the said owner; such findings being based on the report of the Code Enforcement officer, and

**BE IT FURTHER RESOLVED**, that a hearing shall be conducted to consider the affirmance of, modification of or vacatur of this Order. Said hearing shall commence at or about 7:00 p.m. on June 26, 2008, and shall be conducted at the Town Hall of the Town of Warwick, 132 Kings Highway, Warwick, NY. The Town Attorney shall serve notice of said hearing, together with this resolution and the Code Enforcement Officer’s report, on the owner of the premises and on such other persons having an interest therein; proof of such service shall be delivered to the Town Clerk at or before the opening of the public hearing and such notice of hearing shall be served on the record owner at least five days before the commencement of the public hearing; and

**BE IT FURTHER RESOLVED**, that all costs incurred by the Town of Warwick in the repair or removal of the said structure(s) shall be assessed against the land on which said structure(s) is/are located: and

**BE IT FURTHER RESOLVED**, that the securing or removal of said structure(s) shall be commenced within thirty days after service of notice and shall be completed within sixty days thereafter, and such notice shall so provide; and

**BE IT FURTHER RESOLVED**, that said notice shall order the removal or repair (as the case may be, of the structure(s)); and a copy of the said notice shall be filed in the Orange County Clerk's Office in the same manner as a notice of pendency pursuant to Article 65 of the CPLR.

Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**#R2008-180 AUTHORIZATION TO CREATE POSITION OF PART TIME POLICE DISPATCHER**

Motion Councilman DeAngelo, seconded Councilman Shuback to adopt a resolution authorizing the Supervisor to file the necessary forms with Orange County Department of Personnel to create a position of part time Police Dispatcher in the Town of Warwick.

Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**Discussion:** Supervisor Sweeton stated that this is to create an additional part-time position because Dispatcher Chirico is still out on an injury. In an attempt to keep the overtime down we would like to get another part time position and we don't have one created so we had to create one.

**#R2008-181 SOLICIT BIDS – PURCHASE AND/OR LEASE OF TWO CLASS 5 TRUCK CAB AND CHASSIS (4 X 4) UNITS**

Motion Councilman Shuback, seconded Councilman DeAngelo to adopt a resolution to solicit bids for the purchase and/or lease of two (2) Class 5 truck cab and chassis units, 19,500 lbs. Gross Vehicle Weight, Diesel, 4 X 4, Automatic, Power Steering, Power Brakes, Air conditioning, 9 ft. Boss plow plus MG body with all applicable equipment. Said bids to be opened June 9, 2008, at 3:00 p.m. at the Town Hall, 132 Kings Highway, Town of Warwick.

Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**#R2008-182 SPECIAL EVENT PERMIT – SHOPRITE OUTDOOR FARMERS MARKET**

Motion Supervisor Sweeton, seconded Councilman Shuback to adopt a resolution granting approval to ShopRite of Warwick to hold an outdoor farmer's market on Saturday and Sunday, June 14 and June 15, 2008 pending all necessary permits, insurance and approval from the Chief of Police.

Motion Carried (4 ayes, 0 nays, 1 abstain, Councilman Gerstner abstained) Supervisor declared this resolution duly adopted.

**BILLS: Motion Councilman DeAngelo, seconded Councilman Gerstner to pay the bills as audited. Motion Carried (5 ayes, 0 nays)**

**PRIVILEGE OF THE FLOOR (GENERAL)**

**Ellen Sheffield – Reporter, Greenwood Lake News, Greenwood Lake, NY 10925 – Councilman DeBuck you said you felt the municipal agreement would be renewed even though it's, you predicted it's going to be renewed next year even though it's not perfect. What did you mean by that?**

**Councilman DeBuck – I think every time you try something new and there are arrangements where perhaps people who had a department of their own at close hand like in communications and now there's like another level because the department here at Town Hall, so there might be some breakdown in communications and or our department of public works are made up of hard working people that aren't perfect. Where I think we will excel in some areas there might be deficiency in other areas, but I think the overall idea and the workmanship of this agreement is a good one and that's why I'm confident that a year from now giving it a whole year trial it will be renewed.**

**Ellen Sheffield - You said you thought things would have to be worked out.**

**Councilman DeBuck – This is what we talked about at a workshop a month ago that we think the only thing that might be cumbersome is whether or not lines of communications between someone wanting an item done might be more cumbersome under this agreement then would be otherwise.**

**Ellen Sheffield - Why is that?**

**Councilman DeBuck – It's just another layer in communication. It's like a triangle when someone may have just simply called an employee and said hey we want this done in our village and at this point we are asking them to reach out to our Commissioner of public works before it gets done.**

**Supervisor Sweeton – We're working within a union structure, so there are jobs that only certain classifications can do. In the past someone may be doing more things individually in the village structure since it was not unionized. Whenever you're going to do something different there may be issues, but we are committed to working through those as is the village and when we're done it's going to be a good system.**

**Councilman Gerstner – And maybe not.**

**Supervisor Sweeton – And maybe not. Maybe everything will be perfect.**

**Ellen Sheffield – You're committed.**

**Supervisor Sweeton – We're committed to providing the best DPW services to the entire Town of Warwick including the Village of Greenwood Lake that we can possibly do. The**

terms of the agreement is actually a three year agreement, but it does have the ability for either party with proper notice to rescind the agreement. The details of the agreement will be made available to you once the Village of Greenwood Lake also signs it and I don't believe they have at this point.

Ellen Sheffield - So it's going to take some working out in other words.

Ben Astorino – Deputy DPW Commissioner, Town of Warwick – We will go in and do the job we were hired to do and that will be the end of it.

Supervisor Sweeton – People are comfortable with one form and it may be different or it may not, we'll see. I think in the long run everything should be terrific.

Councilman Shuback – We're going to have Deputy Commissioner Astorino there, so I think it'll make it a lot easier to get things done.

Ben Astorino – We've had numerous meetings and discussions to get us up to speed of where we're going and I think we will have a smooth transition and everything will be just fine. I am very confident it will work out fine.

Councilman DeBuck – I would like to comment on the Millennium Pipeline. The project of having several construction sites in the town at roads where the Millennium Pipeline project crosses is going to be somewhat cumbersome I think to residents in the Town of Warwick this summer. The Millennium Pipeline project is a Federal project that was given a Federal permit by the Federal Energy Regulatory Commission and there already exists a 10' pipe on that right-of-way. They have negotiated with private property owners to buy the necessary larger right-of-way to follow through with the permit they received from the Federal Energy Regulatory Commission. The project had lots of review and the project was due to really happen in the year 2000 and now it's 2008. While it might be an inconvenience this project is going to happen here in our town this summer. They want to have this gas pipe operating by November 1<sup>st</sup> and like the issue with the police and the crossings it's going to be cumbersome, but hopefully with patience in November they will have completed all of their road cuts and stream crossings. I would like to ask the residents to be as patient as they can knowing that there will be a better supply of energy where this particular pipeline terminates at the power companies. It is a necessary way to get natural gas across the country. We don't want this traveling on our highways, but we do really want it to go through a gas pipeline we just simply ask for your patience and your understanding and in November hopefully everything will be complete. It's good that they negotiated with the Supervisor for the additional police, but hopefully everyone will have a realization that this is a temporary thing that is only going to happen this summer and not every summer and that people are patient and courteous to this construction project.

Supervisor Sweeton – The sooner it gets finished the sooner they're out, so lets wish them well and they are spending money in local restaurants and rooms.

**ADJOURN: Motion Councilman Gerstner, seconded Councilman DeAngelo that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 8:45 p.m. 05-22-08 cp.**

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**Marjorie Quackenbush, Town Clerk**