

April 10, 2014

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, April 10, 2014 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor Sweeton called the meeting to order at 7:30 p.m.

ATTENDANCE: **Supervisor Michael Sweeton**
 Councilman Floyd DeAngelo
 Councilman Russell Kowal
 Councilman James Gerstner
 Councilman Mickey Shuback

Town Attorney, Jay Myrow
Deputy DPW Commissioner, William Roe
Police Chief, Thomas F. McGovern, Jr.

ACCEPTANCE OF MINUTES

1. Public Hearing, March 27, 2014
2. Regular Meeting, March 27, 2014

Motion Councilman DeAngelo, seconded Councilman Gerstner to accept the minutes as written from the Public Hearing held on March 27, 2014 and the Regular Meeting held on March 27, 2014. Motion Carried (5 ayes, 0 nays)

CORRESPONDENCE:

CONNIE SARDO – Secretary, Town of Warwick Planning Board – Letter to the Town Board requesting a refund on the remaining balance of an escrow in the amount of \$887.50 to Planning Board applicant, Gary Randall.

BEN ASTORINO – Chairman, Town of Warwick Planning Board – Letter to the Town Board regarding the proposed amendments to the sign standards, corrections of typographical errors in the text and an amendment to the Zoning Map. “In conclusion, the Planning Board has made a careful inquiry and determination in regards to the proposed Sign Standards and the other proposed Zoning amendments and has reviewed the potential changes that would result if Local Law No. 4 of 2014 was adopted. The Planning Board’s recommendation to the Town Board is to consider adoption of the changes to the Zoning Law.

THOMAS F. MCGOVERN JR. – Chief of Police, Town of Warwick – Memo to the Supervisor and Town Board requesting that Anthony J. Romano be appointed as a part time Police Officer effective April 19, 2014.

BOARD’S DISCUSSION ON CORRESPONDENCE

Supervisor Sweeton stated that the Chairman of the Town of Warwick Planning Board did refer a letter back to us from the Planning Board where they examined our proposed sign and zoning amendment changes. Their recommendation to the Town Board is to

consider adoption of the changes to the zoning law. That public hearing will be held two weeks from tonight. We did just receive a letter today from Orange County Planning also concurring with our changes and leaving it as a local determination. So we met the requirements of both of our referrals and we will have that hearing at our next meeting.

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

DEPARTMENT OF PUBLIC WORKS REPORT

<u>WORK BEING DONE</u>	<u>LOCATION</u>	<u>REASON FOR WORK</u>
CATCH BASINS	Crystal Farm Rd.	Repair basins
TREE WORK	Knollcroft Terrace	Trim trees
	Old Dutch Hollow Rd.	Clear roadsides
POT HOLES	Town wide	As needed
ROAD REPAIR	Amity Ct.	Clean up blacktop
	Wisner Ct.	Clean up blacktop
ROAD SIGNS	Town wide	As needed
MAIL BOXES	Town wide	As needed

ENVIRONMENTAL CONSULTANTS REPORT

Town Of Warwick - Water and Wastewater Operations Report - March, 2014

Wickham Water District

Wells #1, #5 #6, #8, #10 monthly production	1,851,300 gal
Average daily use	59,719 gal
Sodium Hypochlorite used	180 qt
Orthophosphate used	60 qt
Caustic Soda	140 gal

Bellvale Park Water District

Total monthly production	77,600 gal
Average daily use	2,500 gal
Sodium Hypochlorite used	4 qt

Eurich Heights Water District

Total monthly production	155,200 gal
Average daily use	5,000 gal
Sodium Hypochlorite used	8 qt

Orthophosphate used 0 qt

Pine Island Water District

Total monthly production 271,800 gal

Average daily use 8,800 gal

Sodium Hypochlorite used 20 qt

Westside #1 Water District

Total monthly production 2,119,100 gal

Average daily use 68,400 gal

Sodium Hypochlorite used 172 qt

Orthophosphate used 36 qt

Caustic Soda 0 gal

The Fairgrounds

Total monthly production 221,800 gal

Average daily use 7,200 gal

Sodium Hypochlorite used 20 qt

Sewer District #1 Wastewater Treatment Facility

Mid-Orange Correctional District 0 gal 0%

Wickham Village District 3,575,216 gal 64%

Kings Estates District 1,982,014 gal 36%

Total District Flow 5,557,230 gal 100%

Average Daily Flow 179,265 gal

All facility maintenance has been done for the month. (Oil grease, filters)

The belt press ran for 42.25 hrs. and 1.75 gal of polymer was used.

20 cu. Yd. of sludge and 5 cu. ft. of grit were removed from the site this month.

Sewer District #2 Wastewater Treatment Facility – The Fairgrounds

Total District Flow 141,274 gal

Average Daily Flow 4,557 gal

COUNCILMAN DE ANGELO REPORT

1. The Post Report for March, 2014 is as follows: Greenwood Lake had 226 calls, the Town outside the Village had 929 calls, Pine Island 371 calls and the Village of Warwick had 700 calls for a total of 2,226 for March.

2. June is Adopt a Cat Month and the Warwick Humane Society is joining with Maddie's Free Adoption Days partnered by New York City's Mayor's Alliance and New York City's animals rescued from shelters. Please visit the local Pet Smart in Harriman

June 1st and June 2nd from 2:00 to 4:00 p.m. On June 1st and June 2nd only cat adoptions are free with approved applications and you can visit the shelter from 12:00 to 4:00 p.m. June 3rd to June 30th all adult cats are \$50 and a free gift while supplies last.

3. This Saturday, April 12th at the Warwick Valley Country Club the Greenwood Forest Farms Association is honoring Annie Rabbitt and Mr. & Mrs. Bernardo Risorio with a luncheon from 10:00 a.m. until 2:00 p.m. The seating is limited and the tickets are \$45 per person and the telephone to respond is 845-544-7264.

Police Chief McGovern – Bill Cockburn a retired New York City Police Officer, his son Chris Cockburn retired as a Sergeant from our department and Bill also worked here back in the 80's as a dispatcher, passed away on Monday. Please keep thoughts and prayers for his family. I also want to congratulate Sergeant Alton Morley who just completed his 11 weeks at the FBI National Academy in Quantico, Virginia. He is the 4th member of this department to complete that training. I thank the Board for your support of that training because less than 1% of all police officers in the whole world get to go to that training. We appreciate your support.

COUNCILMAN KOWAL REPORT

1. This winter Mr. Giordano completed the kiosk project on the Appalachian Trail on top of Mt. Peter just past the Bellvale Dairy. I corresponded with him congratulating him and thanked him for the project and invited him to come to one of our meetings soon at his convenience. Perhaps maybe we will have a very small narrow ribbon cutting ceremony for the informational kiosk. It's nice, for the Appalachian Trail community. What he wants to have up there is information for people who are traveling the trail have information about the village below and what kind of attractions we have and come down from your hike and visit us.

2. For the parks we had a very delayed and stressful spring for our grass anyone who has a lawn will notice the grass just isn't green yet and our athletic fields aren't any different but they are coming in. It's just going to be a little later than we would have liked it to be. We know that the DPW is doing everything humanly possible but Mother Nature says different things sometimes. The grass is starting to green up and we hope that will be an acceptable level for our athletes to use this summer.

Deputy Commissioner Roe – They are starting to play Saturday.

Councilman Kowal – I hope the grass is a little greener for them.

Councilman DeAngelo – The kiosk came out really good.

Councilman Kowal – It looks great and matched the park colors perfectly.

Supervisor Sweeton – I came back over the hill Sunday from Greenwood Lake and there were just tons of people getting out and getting onto the trail which is nice.

COUNCILMAN GERSTNER REPORT

1. I have a notification here from Cablevision, this is to inform you that as of May 1, 2014 there will be some changes to select video service rates affecting Cablevision's new and existing video customers. The rates that programmers charge for all programming, but in particular sports programming, have increased dramatically over the past several years and is responsible for the higher costs. We are now making a few targeted adjustments to address programming cost increases. The cost of Cablevision's lowest tier options, the Economy and Broadcast Basic packages, will not change. There will also be no change to equipment rates or one-time charges. All customers will be notified 30 days in advance of these changes through bill messages or inserts and their website at www.optimum.com.

2. The Veterans Spring Picnic and Resource Fair will be May 10th from 11:00 a.m. until 3:00 p.m. at the Thomas Bull Memorial Park. All Veterans please get out and enjoy it.

COUNCILMAN SHUBACK REPORT

1. The Highway Department is busy repairing mailboxes that have been knocked down from the storms and signs and what not. There are an extremely high amount of potholes that is going to take them at least a month to catch up.

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

1. **Fees Collected – Month of March, 2014** – Copies of Maps, \$15.00; Certified Marriages, \$130.00; Photocopies, \$32.00; Use of Kitchen Fees, \$50.00; Interest in Checking Account for Month of February, \$0.11; Dog Enumerations, \$10.00; Dog Impoundment Fees, \$575.00; Town Park Pavilion Fees, \$150.00; Athletic Field Permits, \$50.00; Marriage License Fees, \$52.50; Conservation Licenses, \$47.81; Dog Licenses Issued/Renewed, \$1,936.00; Use of Room Fees, \$190.00; Sale of Used DPW Equipment/Vehicles, \$4,253.00; Registrar Fees, \$340.00; Town Park Deposits, \$50.00; Waterfront Park Group Deposit, \$150.00. **Total Fees Collected: \$11,798.11**

2. **Fees Paid – Month of March, 2014** – NYS Department of Health for Marriage Licenses, \$67.50; NYS Dept. of Ag & Markets for Spay/Neuter Program, \$240.00; NYS Department of Environmental Conservation for Conservation Licenses, \$819.19; Village of Florida for Registrar Fees, \$30.00; Village of Greenwood Lake for Registrar Fees, \$60.00; Village of Warwick for Registrar Fees, \$2,550.00. **Total Fees Paid to Supervisor: \$7,111.15.**

SUPERVISOR'S REPORT

1. Mid Orange Update - The State of New York had let a contract to remediate the firing range that existed on the site that contract will commence on or about the beginning of May for about six weeks. We met with the contractors and the state to make them aware of the transition now from the state to both the town and LDC and we are

working with them. Until that work is done, because there will be trucks coming in and out of that area, we're just asking residents to remain on the main State School Road for the time being. Once the state is done with its work down there we'll begin to provide access down toward the lake along the town section of the property that goes all the way down to where the former picnic areas were before the site itself. We're also working with the LDC evaluating getting the utilities back to the main compound and redistribute water through the site and that's ongoing. We've got electrical contractors working there, again all under the purvey of the LDC they are the ones financing that. The town is not doing any of that. We expect that as the summer progresses more of the area that's owned by the town will begin to be opened for public access once we get some of that area cleaned up.

2. I want to pass on information that came to me from the Orange County Land Trust. There is a farm leasing seminar that's going to be held on Tuesday, May 6th from 6:00 p.m. until 9:00 p.m. at the Kaplan Hall, which is the great room at SUNY Orange in Newburgh at 1 Washington Center. It is a forum for both landowners and new farmers interested in leasing land for farming. They are going to have legal aspects examined and other issues associated with leasing property. That is no charge but you do need to register and they would like you to do that by calling 845-344-1234 which is Cornell Cooperative Extension. This is a joint project with them and the Land Trust. We will make sure that goes on our website and in my corner.

3. I just wanted to point out that the new Warwick Valley Chamber of Commerce Tourism Guide has hit the streets and it's revamped. It is new and is done pretty well. They have color ads of a lot of our local merchants as well as a full directory and maps of the area and where everything is located. You can get these at the caboose and we'll have some here at Town Hall and I just ask that you support your local merchants.

4. Supervisors Corner is published each week in the Warwick Dispatch, with excerpts printed in the Warwick Advertiser.

PRIVILEGE OF THE FLOOR (AGENDA ITEMS)

There were no comments or questions on the agenda items.

NEW BUSINESS:

#R2014-124 SETTLEMENT OF TAX CERTIORARI CLAIM

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt the following resolution:

WHEREAS, a Petition and Notice of Petition for taxation for the 2014 tax year (March 1, 2013 Taxable Status Date) and for the 2013 tax year (March 1, 2012 Taxable Status Date) of the real estate owned by Robin-Ann Realty Co. Inc. (the "Petitioner") in the Town of Warwick, County of Orange, State of New York, Tax Map No. 27-1-40.11, was served upon the Town Assessor and the Board of Assessment Review of the Town of Warwick (the "Respondents") on or about August 1, 2013, August 2, 2012, respectively, and

WHEREAS, said Respondents, with the assistance of Beattie & Krahulik ("Special Counsel"), having duly made and filed their Appearance to said Petition, and

WHEREAS, the Respondents have utilized the assistance of Town Assessor to review the assessment placed on said property, and

WHEREAS, the Respondents and said property owners are prepared to enter into an agreement and stipulation of compromise and settlement of their differences in summary as follows:

- (a) The parties have agreed that for the 2013 assessment roll, the assessment of \$170,000.00 should be reduced to \$135,600.00, based upon a Fifteen and One-Half Percent (15.5%) equalization rate for that year, and that Petitioner is entitled to a refund for taxes already paid to each of the Town, County and all applicable school districts and special districts, and
- (b) The parties have agreed that for the 2012 assessment roll, the assessment of \$170,000.00 should be reduced to \$135,600.00, based upon a Fifteen Percent (15.0%) equalization rate for that year, and that Petitioner is entitled to a refund for taxes already paid to each of the Town, County and all applicable school districts and special districts, and
- (c) That the assessment be fixed for three (3) years pursuant to Real Property Tax Law Section 727.

WHEREAS, it appears to be in the best interests of the Town of Warwick to settle said matters as recommended by the Town Assessor and Special Counsel of the Town without further attendant legal and appraisal costs relating to said matters,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Warwick in regular session duly convened as follows:

The Special Counsel of the Town of Warwick is authorized to consent to entry of appropriate court orders to accomplish said settlement and upon entry of the court orders directing the establishment of assessments for 2012 and 2013 as aforesaid to execute stipulations of discontinuance of the said proceedings.

This Resolution shall take effect immediately.

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

#R2014-125 PROCLAMATION – APRIL 2014 INTERNATIONAL JAZZ MONTH

Motion Supervisor Sweeton, seconded Councilman Shuback to adopt the following resolution:

WHEREAS, Jazz developed in the United States in the very early part of the 20th century. New Orleans, near the mouth of the Mississippi River, played a key role in this development. African-American musical traditions mixed with others and gradually jazz emerged from a blend of ragtime, marches, blues, and other kinds of music, and

WHEREAS, after the first recordings of jazz were made in 1917, the music spread widely and developed rapidly. The evolution of jazz was led by a series of brilliant musicians such as Louis Armstrong, Duke Ellington, Charlie Parker, and Miles Davis. Jazz developed a series of different styles including traditional jazz, swing, bebop, cool jazz, and jazz/rock, among others, and

WHEREAS, at the same time, jazz spread from the United States to many parts of the world, and today jazz musicians--and jazz festivals--can be found in dozens of nations. Jazz is one of the United States' greatest exports to the world, and

WHEREAS, Warwick has once again led the way in bringing this truly American art form to the forefront by creating the Warwick Valley Jazz Fest, led by musician/creator Steve Rubin, which has become so successful it is now known as the Hudson Valley Jazz Fest, bringing local and world renown Jazz musicians to the residents of our valley, and

WHEREAS, the Hudson Valley Jazz Fest will be held this year from August 14th to August 17th at venues throughout the Hudson Valley bringing tourists and boosting economic development;

NOW THEREFORE BE IT RESOLVED that the Town Board does hereby declare April 2014 International Jazz Month in the Town of Warwick.

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

Discussion: Supervisor Sweeton stated that this was Steve's brainchild and he took it and ran with it and created this phenomenally successful event the first year that it happened bringing in lots of interest to our town a multi day period and that caused people to stay in our community, spend money in our community and have a great time. Now it's just blossomed and grown beyond that and I think they should be congratulated for that.

#R2014-126 AUTHORIZE ESCROW REFUND – GARY RANDALL #4

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to authorize an escrow refund in the amount of \$887.50, the balance of the escrow for SBL# 19-1-47.2~1, to Planning Board applicant Gary Randall as per the recommendation of the Planning Board Secretary; letter dated March 28, 2014.

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

#R2014-127 AUTHORIZATION TO SIGN DIAL-A-BUS OPERATORS AGREEMENT WITH COUNTY OF ORANGE

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to authorize the Supervisor to sign the Dial-A-Bus Operators Agreement with the County of Orange commencing on April 1, 2014 and ending March 31, 2017. Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

#R2014-128 SET PUBLIC HEARING – PROJECTS FOR 2015 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to set a public hearing for consideration of projects for submission to the 2015 Community Development Block Grant Program. Said public hearing to be held at 7:15 p.m. on April 24, 2014, or as soon thereafter as the matter may be heard at the Town Hall, Town of Warwick.

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

#R2014-129 RECLASSIFICATION OF POLICE OFFICER POSITIONS

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to authorize the Supervisor to sign the necessary forms with the Orange County Department of Human Resources to re-classify two Full Time Police Officer positions to two Part Time Police Officer positions.

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

#R2014-130 APPOINTMENT OF PART TIME POLICE OFFICER – ANTHONY J. ROMANO

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to appoint Anthony J. Romano as a part time Police Officer at a rate of pay of \$21.18 per hour effective April 19, 2014.

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

Discussion: Supervisor Sweeton commended the Chief for being very good on using part time officers where he can. It sort of supplements to our existing force and he's done a really good job with his staff, so thank you Chief.

#R2014-131 APPROVE WESTSIDE WATER DISTRICT RATES

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to approve the new rates for the Westside Water District as attached and to amend the Town Code section 157-13 A-G as presented in the public hearing held on March 27, 2014.

Motion Carried (5 ayes, 0 nays) 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)

No comments were made under the privilege of the floor by the Town Board or the public.

ADJOURN: Motion Councilman Shuback, seconded Councilman Gerstner that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 7:51 p.m.
04-10-14 CP.

Marjorie Quackenbush, Town Clerk