

TOWN OF WARWICK
INTRODUCTORY LOCAL LAW
AMENDING THE CODE OF THE TOWN OF WARWICK

A Local Law amending Chapter 150 of the Code of the Town of Warwick in relation to non- Commercial Forest Improvement by adding a new Section 150-10.C to Chapter 150, as more fully set forth below:

Be it enacted by the Town Board of the Town of Warwick, Orange County, New York, as follows:

Section 1 –TOWN CODE AMENDED:

The Town of Warwick Town Code is hereby amended by adding a new Section 150-10. C to Chapter 150 thereto to read as follows:

Section 150-10.C. Lands with a 480a exemption may exceed ten (10) acres of clearing without Planning Board approval provided proof of the exemption is provided to the Building Department.

Section 2. – This Local Law will take effect upon the filing of same with the New York State Secretary of State.

Barbecue Express, LLC
172 Route 94 South
Warwick, New York 10990

✓ CC
✓ TBO
✓ JSH
✓ JDB
W. Stevens
✓ MQ

May 16, 2013

Town of Warwick Town Board
Attn: Michael Sweeton, Supervisor
132 Kings Highway, P.O. Box 489
Warwick, New York 10990

Re: Building Department of the Town of Warwick

Dear Supervisor Sweeton:

As you know I am the proprietor of Barbecue Express, LLC, located at 172 Route 94 South, in the Town of Warwick.

On May 3, 2013, I was engaged to handle an outdoor dinner event for Kinder Morgan, a company in Houston, Texas. Eighty persons were scheduled to attend this event on Thursday May 9, 2013, at 4:30 PM. The event was to be conducted outside under a tent and with outdoor portable bathroom facilities.

On Monday, May 6, 2013, the customer canceled the event following a telephone call placed by Building Inspector Wayne Stevens to my customer in Houston Texas. The individual to whom the call was made, one Tabatha Pellerin, reported to me that she had been told by Mr. Stevens that my restaurant could not facilitate the number of people who where to attend the event. I am attaching an e-mail sent to me by Ms. Pellerin to that effect and indicating that an additional permit was required for this event.

I received no notice from the Building Department or Mr. Stevens; I received no Notice of Violation; and I received no communication from anyone in the Building Department notifying me that this event could not take place.

I believe that Mr. Stevens acted in excess of his authority as a Building Inspector by telephoning my customer and giving my customer advice that the event could not take place without an additional permit. Indeed, his conduct in this respect was nothing short of outrageous.

Mr. Stevens knew that my business is fully permitted by the Town of Warwick and the Orange County Department of Health. Outdoor events serviced by portable outdoor toilets are authorized. Nothing that was planned required any additional permits.

RECEIVED

(Continued)

MAY 17 2013

TOWN OF WARWICK
SUPERVISOR'S OFFICE

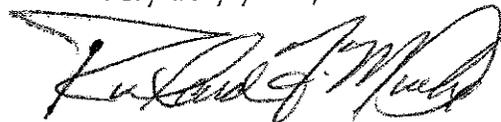
Town of Warwick Town Board
May 16, 2013
Page 2

I do not believe that the Town of Warwick should employ a Building Inspector who lacks the common sense required for his position. That common sense should have sent him to me once he had an impression that the event would have violated some permit, regulation or statute, rather than call my customer and provide advice that was erroneous and which interfered with my civil right to lawfully conduct my business.

The cost to me of this unlawful communication was approximately \$2,200.00 and I expect that Mr. Stevens and/or his employer, the Town of Warwick, should reimburse me for this unnecessary and avoidable financial loss.

I intend to be present for the May 23, 2013 Town Board meeting, at which I expect a response to this letter expressing the Town's intent with respect to the continued employment of Mr. Stevens and its position with respect responsibility for my financial loss.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard Murtie", written in a cursive style.

Richard Murtie



DEPARTMENT OF HEALTH

cc TBD
mq

Jean M. Hudson, M.D., M.P.H.
Commissioner of Health
124 Main Street
Goshen, New York 10924-2199

Edward A. Diana
County Executive

Environmental Health (845) 291-2331
Fax: (845) 291-4078

May 23, 2013

Re: Barbeque Express
Town of Warwick
Food Service Establishment/Caterer

Wayne Stevens
Building Inspector
Town of Warwick
130 Kings Highway
Warwick, NY 10990

Dear Mr. Stevens:

In reply to your inquiry dated May 23, 2013, Barbeque Express, LLC currently has been issued a permit to operate a food service establishment at 17 Route 94 South in the Town of Warwick that expires on June 30, 2013 and limited to a seating capacity of 19 persons. Our records indicate that Barbeque Express, LLC has also applied for a permit to operate a catering operation on May 21, 2013. That permit has not been issued at this time.

For your information, Subpart 14-1 of the New York State Sanitary Code defines a food service establishment and a caterer differently. Section 14-1.20 (a) defines a food service establishment as "a place where food is prepared and intended for individual portion service and includes the site at which the individual portions are provided, whether consumption occurs on or off the premises." By contrast, a caterer is defined in Section 14-1.20 (b) as "a person who prepares, furnishes, or prepares and furnishes food intended for individual portion services at the premises of the consumer". Our view is that a catering operation is one where the event would be held off site at the premises of the consumer although the food for that event could be prepared etc. on the site of the food service establishment.

Very truly yours,

John D. Score
Principal Public Health Sanitarian

JDS:mt

cc: Barbeque Express, LLC
File

TOWN OF WARWICK

DEPARTMENT OF POLICE

132 Kings Highway
Warwick N.Y. 10990
(845) 986-5000 Fax (845) 986-5020

Thomas F. McGovern, Jr. - N.A. 199
Chief of Police
wpdchief@warwick.net

10 June 2013

MEMO

To: Supervisor Sweeton, Town Board, Town Clerk
From: Chief T. McGovern 
Re: Fill vacant p/t police officer position

Please accept this memo as my request for the Board to fill the vacant part-time police officer position created by the elevation of Kerstner to full time. I am recommending that the position be filled by Nickolous Passamano. Mr. Passamano is a graduate of Warwick High School and is currently completing the Ulster Police Academy. He is also a dispatcher with the Greenwood Lake police department, for six years, where he gets very good recommendations. He is also a volunteer firefighter in Warwick, holding the rank of lieutenant.

He needs to be appointed at the meeting 6/13/13 with a start date later in the summer, for paperwork purposes. He will begin the second phase of that academy on July 06, but he has to be hired to attend. His address is:

179 Kings Highway
Warwick, NY 10990

He is available to begin training on Friday, 05 July 2013. That would be best for the appointment date as well.

If you require any additional information, please contact me. Thank you.

21.18

TOWN OF WARWICK

DEPARTMENT OF POLICE

132 Kings Highway
Warwick N.Y. 10990
(845) 986-5000

Thomas F. McGovern, Jr. N.A.
Chief of Police

24th May 2013

MEMO

To: Michael Sweeton Supervisor, Town Board
From: Chief Thomas F. McGovern Jr.
Re: Budget Deposit

Please acknowledge and accept the attached check from Plymouth Rock Assurance, dated 5/17/13, in the amount of \$1,090.77 and deposit funds into line 403, Police Auto Maintenance. (602.00, 3120.403)

If you have any other questions, do not hesitate to contact me.

Thank you.

cc: Joanne Wilcox & Meg Quackenbush

TM/km



P.O. Box 905
Lincroft, NJ 07738-0905

55051176

PAGE: 1 of 1

DATE: May 17, 2013

CHECK NUMBER: 1000467613

CLAIM NUMBER: 044801258948



00496 CKS ZA 13137 - 1000467613 NNNNNNNNNNN 1375100005007 X196A3 C
TOWNSHIP OF WARWICK
132 KINGS HIGHWAY
WARWICK NY 10990



HIGH POINT SAFETY AND INSURANCE COMPANY

CLAIMS OFFICE: Berkeley Height

INSURED: MICHELE MARQUARD
POLICY NUMBER: HPA1253A852541

DATE OF LOSS: 20130409
CLAIM NUMBER: 044801258948

PAYMENT EXPLANATION:

payment of claimant suppliment

*Damage to Police Car
4/9/13*

CHECK AMOUNT=\$1,090.77

PLEASE DETACH BEFORE DEPOSITING CHECK



P.O. Box 905
Lincroft, NJ 07738-0905

CLAIM NUMBER: 044801258948

CHECK NUMBER 1000467613

50-937
213

May 17, 2013

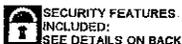
*** VOID AFTER 180 DAYS ***

PAY TOWNSHIP OF WARWICK
TO THE
ORDER OF:

CHECK AMOUNT
\$1,090.77

EXACTLY *****1,090 DOLLARS AND 77 CENTS

JPMorgan Chase Bank, N.A.
Syracuse, NY



[Signature]

[Signature]

Authorized Signatures

⑈ 1000467613 ⑆ ⑆ 021309379 ⑆ 0000937210961 ⑆

X

TOWN OF WARWICK

ASSESSMENT DEPARTMENT
Deborah A. Eurich, IAO, Assessor

132 Kings Highway
Warwick, New York 10990
845.986.1123

Memorandum

DATE: June 10, 2013
TO: Warwick Town Board
FROM: Deborah Eurich, IAO, Assessor 
RE: Training Request

I respectfully request the Board's approval to attend the Institute of Assessing Officer's Seminar on Appraising held at Cornell University July 16-20, 2013.

This seminar is important in fulfilling the State's annual recertification requirement and to further enhance appraisal skills.

The necessary funds for attending were previously approved by the Town Board in the current budget. Additionally, I have been asked to assist with one of the courses, to fill in for an instructor that recently took over the position of Executive Director for the NYS Assessors' Association. Consequently, most of my expenses will be paid by the Association, so the expense to the Town will be minimal.

Please contact me with any questions.

TOWN OF WARWICK



132 KINGS HIGHWAY
WARWICK, NEW YORK 10990

BUILDING & PLANNING DEPT (845) 986-1127
FAX NO. (845) 987-9644
BUILDING DEPT EXT. 258/260
PLANNING DEPT EXT 261
ENGINEER EXT 275

June 7, 2013

Town of Warwick Town Board
132 Kings Highway
Warwick, New York 10990

Attn: Michael Sweeton, Supervisor

Re: Pochuck Views Subdivision, Section 1

Dear Supervisor Sweeton and Town Board Members:

Please be advised, we received a letter from David Getz, Lehigh & Hudson Professional Building, LLC., dated June 6, 2013. The Planning Board Applicant is requesting a refund of their Parkland Fees in the amount of \$7,500.00 that was paid to the Town on February 7, 2013. Pochuck Views received conditional final approval on November 21, 2012 in which one of the conditions was to pay the Parkland Fees. On March 20, 2013, the Applicants amended their application to instead apply for approvals in sections. The Applicants received approvals for Section I and for filing the subdivision in sections. As a result, the Parkland Fees are not applicable until the approval of Section 2, which will occur sometime in the future. Therefore, the Parkland Fees should be refunded back to the applicant in the amount of \$7,500.00.

Please refund the Parkland Fees in the amount of \$7,500.00 payable to Lehigh & Hudson Professional Building, LLC. Please send the check to 17 River Street, Warwick, NY 10990.

If you have any questions, please don't hesitate to contact the Planning Department.

Thank you,

Sincerely,
TOWN OF WARWICK PLANNING DEPARTMENT


Connie Sardo
Planning Board Secretary

cc: Ben Astorino, Planning Board Chairman
John Bollenbach, Planning Board Attorney
Laura Barca, HDR
Dave Getz, the Applicant
Joanne Wilcox, Bookkeeper

Lehigh & Hudson Professional Building, LLC
c/o Lehman & Getz, P.C.
17 River Street
Warwick, NY 10990

(845) 986-7737 Phone

(845) 986-0245 Fax

June 6, 2013

Town of Warwick Board of Trustees
132 Kings Highway
Warwick, NY 10990

RECEIVED

JUN 06 2013

Town of Warwick

Re: Pochuck Views Subdivision, Section 1
Section 24, Block 1, Lots 20.1 & 35
117 Glenwood Road
L&G #76.3

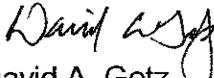
Att: Michael Sweeton, Supervisor

Dear Mr. Sweeton and Town Board Members:

On November 22, 2012, the Town Planning Board granted conditional final approval to the Pochuck View Subdivision, located on Glenwood Road. One of the conditions was the payment of \$7,500 for parkland fees for three new lots. In February 2013, we submitted a check for the fees.

After submitting the fees, we amended the application to instead apply for approval in sections. As a result, parkland fees are not applicable until the approval of Section 2, which will occur sometime in the future. We therefore request a refund of the \$7,500.

Thank you.


David A. Getz

CL
TOD
ML

RECEIVED

**ORANGE COUNTY
INDUSTRIAL DEVELOPMENT AGENCY**

County Government Center
255 Main Street
Goshen, New York 10924
Phone: 845-291-2700 Fax: 845-291-2724

MAY 23 2013

TOWN OF DANBURGH
SUPERVISOR'S OFFICE

James O'Donnell, Executive Director
Joel Kleiman, Chief Financial Officer
Kevin Dowd, Attorney
Laurie Villasuso, Administrative Assistant

Robert Armistead, Chairman
Mary Ellen Rogulski, Vice Chairman
Russell O. Vernon, Second Vice Chairman
Stephen Brescia, Secretary
John Steinberg, Jr., Assistant Secretary
Henry VanLeeuwen
Robert J. Schreibeis, Sr.

NOTICE LETTER

May 24, 2013

To: The Chief Executive Officers of
Affected Tax Jurisdictions

Re: **Orange County Industrial Development Agency and Pharmline, Inc.**

Ladies and Gentlemen:

On Monday, June 10, 2013, at 9:00 a.m. local time, at the Florida Village Offices, 33 South Main Street, Florida, New York 10921, the Orange County Industrial Development Agency (the "Agency") will conduct a public hearing regarding the above-referenced project. Attached is a copy of the Notice of Public Hearing describing the project and the financial assistance contemplated by the Agency. The Notice has been submitted to the *Times Herald Record* for publication.

You are welcome to attend such hearing at which time you will have an opportunity to review the project application and present your views, both orally and in writing, with respect to the project. We are providing this notice to you, pursuant to General Municipal Law Section 859-(a), as the chief executive officer of an affected tax jurisdiction within which the project is located.

By: ORANGE COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

AFFECTED TAX JURISDICTION OFFICIALS

Orange County

Orange County Legislature
Attn: Chairman
Orange County Government Center
15 Matthews Street, Suite 203
Goshen, New York 10924

Orange County Executive
Orange County Government Center
22 Wells Farm Road
Goshen, New York 10924

Village of Florida

Village of Florida
Attn: Mayor
33 South Main Street
Florida, New York 10921

Town of Warwick

Town of Warwick
Attn: Town Supervisor
132 Kings Highway
Warwick, New York 10990

Florida Union-Free School District

Florida Union-Free School District
Attn: Superintendent
51 North Main Street
Florida, New York 10921

Florida Union-Free School District
Attn: President, Board of Education
51 North Main Street
Florida, New York 10921

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law will be held by the Orange County Industrial Development Agency (the "Agency") on Monday, June 10, 2013, at 9:00 a.m. local time, at the Village Offices, 33 South Main Street, Florida, New York 10921, in connection with the following matter:

PHARMLINE, INC., a New York corporation, for itself or on behalf of an entity formed or to be formed (collectively, the "Company"), has submitted an application (the "Application") to the Agency requesting the Agency's assistance with respect to a certain project (the "Project") consisting of: (A) the acquisition by the Agency of a leasehold or other interest in all or a portion of an approximately 15.70-acre parcel of land located at 41 Bridge Street in the Village of Florida, Town of Warwick, Orange County, New York (the "Land") and the existing improvements located thereon consisting principally of an approximately 90,000 square-foot building (the "Existing Improvements"); (B) the renovation and upgrading of an approximately 60,000 square foot portion of the Existing Improvements including, but not limited to, installation of new HVAC, humidity control and dust collection systems, food grade impact doors, floor drains and DI water system, lowering the ceiling height and installing water-proof ceiling tiles, covering existing walls with Marlite, refinishing floors with epoxy-type surface coating, and general electrical and plumbing upgrades and related improvements and upgrades and the construction on the Land of an approximately 23,000 square-foot warehouse (collectively, the "Improvements"); all to to be used by the Company in its business of manufacturing and distributing nutraceutical and dietary supplements; and (C) the acquisition and installation in and around the Existing Improvements and the Improvements of certain items of equipment, machinery and other tangible personal property (collectively, the "Equipment" and, together with the Land, the Existing Improvements and the Improvements, the "Facility").

The Agency will acquire a leasehold interest in the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the Agency's leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company in the form of sales and use tax exemptions, a mortgage recording tax exemption and a real property tax abatement, all consistent with the policies of the Agency.

A representative of the Agency will be at the above-stated time and place to present a copy of the Company's Project Application (including a cost-benefit analysis) and hear and accept written and oral comments from all persons with views in favor of or opposed to or otherwise relevant to the proposed Financial Assistance.

Dated: May 26, 2013

By: ORANGE COUNTY INDUSTRIAL
DEVELOPMENT AGENCY