

January 21, 2016

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, January 21, 2016 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

Attorney for the Town, Jay Myrow
Police Chief, Thomas F. McGovern, Jr.
Police Lieutenant, John Rader

ACCEPTANCE OF MINUTES

Re-organization Meeting, January 4, 2016

Motion Councilman DeAngelo, seconded Councilman Gerstner to accept the minutes as written from the Regular Meeting held on January 4, 2016.

Motion Carried (5 ayes, 0 nays)

CORRESPONDENCE:

JEN CROVER - Supervisor of Transportation, Town of Warwick, letter to Supervisor requesting an authorization for Town Supervisor to sign lease agreement with the County of Orange.

MICHAEL CORSO - Consumer Advocate and Director, NYS Department of Public Service, letter to Supervisor and Town Board informing them of informational sessions and public statement hearings regarding Altice N.V. and Cablevision's joint petition seeking Commission approval for Cablevision to transfer certain telephone and cable systems to Altice.

CONNIE SARDO – Secretary, Town of Warwick Planning Board -Letter to the Town Board requesting a refund on the remaining balance of the escrow for SBL58-2-1.21 & 47-1-18.2 to Planning Board applicant Doss & McMahon in the amount of \$1,036.25.

WAYNE STEVENS - Building Inspector, Town of Warwick, letter to Supervisor and Town Board requesting a refund to D & D Communications Enterprises Inc. (The Home Depot At Home Services), One Nadeau Road, Clifton Park, NY 12065 for permit #24355 for a roof.

LAURA BARCA – Planning Board Engineer, Town of Warwick, letter to Supervisor and Town Board for Town of Warwick to be Lead Agency regarding Beautiful People Site Plan for the construction of two (2) baseball fields.

JOHN J BONACIC – State Senator, 42nd District, State of New York, letter informing Supervisor and Town Board that he has selected Town of Warwick to receive State and Municipal Facilities Capital Program Grant \$100,000.00 to repair Jayne Street Bridge over Millers Creek within the Village of Florida.

BENJAMIN ASTORINO – Planning Board Chairman, Town of Warwick, letter to Supervisor and Town Board supporting the “Right to Farm Law” Policy in the Town of Warwick.

BOARD’S DISCUSSION ON CORRESPONDENCE

Supervisor Sweeton stated that the Planning Board Engineer sent a letter to the Town Board and myself asking us to be lead agency regarding the field that Beautiful People plan on building at the Wickham Woodlands Park.

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

DEPARTMENT OF PUBLIC WORKS REPORT

<u>WORK BEING DON</u>	<u>LOCATION</u>	<u>REASON FOR WORK</u>	<u>LENGTH</u>
Tree Work	Old Ridge Rd.	Clear Roadsides	
Pot Holes	Town Wide	As Needed	
Sanding	Town Wide	Storms on Jan. 12, 2016	
			Jan. 13, 2016
			Jan. 14, 2016
	Town Wide	Icy Spots: Jan. 18, 2016	
Road Signs	Town Wide	As needed	

ENVIRONMENTAL CONSULTANTS REPORT

Wickham Water District

Wells #1, #5 #6, #8, #10 monthly production	1,721,700 gal
Average daily use	55,500 gal
Sodium Hypochlorite used	152 qt
Orthophosphate used	84 qt
Caustic Soda	60 gal

Bellvale Park Water District

Total monthly production	85,900 gal
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Average daily use 2,800 gal
Sodium Hypochlorite used 6 qt

Eurich Heights Water District

Total monthly production 179,900 gal
Average daily use 5,800 gal
Sodium Hypochlorite used 24 qt
Orthophosphate used 12 qt

Pine Island Water District

Total monthly production 245,100 gal
Average daily use 7,900 gal
Sodium Hypochlorite used 28 qt

Westside #1 Water District

Total monthly production 1,246,200 gal
Average daily use 40,200 gal
Sodium Hypochlorite used 192 qt
Orthophosphate used 60 qt
Caustic Soda 0 gal

The Fairgrounds

Total monthly production 314,400 gal
Average daily use 10,100 gal
Sodium Hypochlorite used 12 qt

The Warwick Tech Park

Total monthly production 500 gal
Average daily use 16 gal
Sodium Hypochlorite used 2 qt

Sewer District #1 Wastewater Treatment Facility

Warwick Tech Park	100,390 gal	2%
Wickham Village District	2,361,082 gal	57%
Kings Estates District	1,707,778 gal	41%
<u>Total District Flow</u>	4,169,250 gal	100%
<u>Average Daily Flow</u>	134,491 gal	

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

The belt press ran for 41.5 hrs. and 2.5 gal of polymer was used.

Sewer District #2 Wastewater Treatment Facility – The Fairgrounds

<u>Total District Flow</u>	164,323 gal
<u>Average Daily Flow</u>	5,300 gal

PARKS DEPARTMENT

COUNCILMAN DE ANGELO REPORT

1. The Post Report for December, 2015 is as follows: Greenwood Lake had 204 calls, the Town outside the Village had 662 calls, Pine Island had 29 calls and the Village of Warwick had 527 calls for a total of 1,692 for the month of December. The Post Report for the 2015 calendar year is as follows: Greenwood Lake had 2,859 calls, the Town outside the Village had 9,581 calls, Pine Island had 3,822 calls and the Village of Warwick had 7,817 for a total of 24,079 for the 2015 calendar year.

2. The Warwick Valley Humane Society needs forever homes for 5 roosters resulting from animal neglect and medical surgery is needed for 2 of the shelter residents Johnny and Deter. The estimated cost will be \$6,500.00 and their aftercare and they are looking for donations. They are always in need of canned cat food pate or ground cat food, pine pellets, bleach, paper towels and garbage bags. They are having a couple of events coming up. On February 14th from 10am until 12pm they have a rabies clinic at the Warwick Valley Humane Society for \$15 per pet and please cats must be in carriers and dogs leashed or restrained. The next rabies clinic is in April. March 13th is an acupuncture clinic by appointment for \$25 for 25 minutes by Pam Shultz a veterinarian from Orchard Grove to make an appointment please call 845-986-2473. On February 5th there is going to be an art show to support the Warwick Valley Humane Society it will be called “Lower East Side” the artwork of Stephen Hoey at Village Billiards. The reception starts at 7pm at 17 Main Street, Warwick, NY 845-544-7750. There is going to be a “Go Jump in The Lake” 2nd annual polar plunge at 3pm at the Breezy Point on February 14th at the winter carnival at 620 Jersey Avenue, Greenwood Lake, NY. The entry fee is \$25 per plunge and all proceeds benefit the pound. For more information please call 845-986-2473.

COUNCILMAN KOWAL REPORT

1. It's winter time at the parks so there's not a lot going on except for ice Skating which there's good weather for that. I was approached by a couple of individuals wanting the Town Boards opinion on something they want to do in our parks called geo cashing. Geo cashing is like a game of hide and seek using GPS devices. A person would put a small piece of Tupperware someplace with a coin or something in it and hide it in our parks somewhere and you challenge other people playing the game to find it. They came into one of our Wickham Woodlands Committee meetings and the committee that it was fine. I wanted to run it by the board and get their consensus on that. They are small items usually and I think it would be something interesting to have in the parks.

Supervisor Sweeton – They are just hiding them right?

Councilman Kowal – Yes, they will put them under a bench or in the hollow of a tree or something like that. They put different items in there and challenge each other to find them and sometimes it's a message or a piece of paper that you sign that you found it.

Councilman DeAngelo – Do they give clues out?

Councilman Kowal – No the clues are just co-ordinance or a map.

Councilman Gerstner – Is it a one day event thing?

Councilman Kowal – No, it would be any time of the year a participant wanted to put something out to challenge the others.

Supervisor Sweeton – Are there any objections? I know there are a lot of scouting people involved in it.

Councilman Gerstner – We don't need insurance since It's not a special event. Its people walking in our parks like any other day.

COUNCILMAN GERSTNER REPORT

1. Our Recreation Chairman Tom Chevrier had a meeting with the organized sports leagues to introduce himself to the officers of the soccer, lacrosse and baseball. I want to thank the officials that came out to meet Tom and we have another meeting for a month or so. I want to thank Tom for having it and Mike Cipolla for staying on and helping out.

COUNCILMAN SHUBACK REPORT

1. We only had a few hours of salting and sanding and we are lucky we have not used to much.

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

1. Fees Collected – Month of December 2015 Copy of map \$5.00.00; Certified Marriages, \$50.00; Photocopies, \$20.25; Postage, \$1.86; Carters Permit, \$2,700.00; Peddler \$100.00; Use of Kitchen- Sr. Center, \$50.00, Interest in Town Clerk's Checking Account, \$.56; Dog Impoundment Fees, \$435.00; Marriage License Fees, \$70.00; Bell Jar Permits, \$10.00; Conservation Licenses, \$20.91; Dog Licenses Issued/Renewed, \$1,105.00; Use of Room Fees, \$600.00; Registrar Fees, \$290.00; Street Opening Inspection Fee, \$50.00; Total Fees Collected: \$8,253.67.

2. Fees Paid – Month of December 2015 – New York State Dept. of Health for Marriage Licenses, \$90.00; New York Dept. of Ag & Markets for Spay/Neuter Program, \$145.00; New York State Dept. of Environmental Conservation for Conservation Licenses, \$1,095.09; State Comptroller for Bell Jar Permits, \$15.00; Village of Florida for Registrar Fees, \$120.00; Village of Greenwood Lake for Registrar Fees, \$120.00; Village of Warwick for Registrar Fees, \$1,110.00; Total Fees Paid: \$5,558.58.

3. Bid opening on January 19, 2016 2:30 p.m. for proposals for unit prices to perform emergency repairs as a result of storm conditions. Two bids were received from:

**Allied Excavating Inc.
71 Waterbury Road
Warwick, NY 10990
845-986-3516**

**Earth-Tec Associates, Inc
P.O. Box 941
Vernon, NJ 07462
973-764-9373**

SUPERVISORS REPORT

1. The receipts for the Community Preservation Fund for December were \$88,363.80 which brings the current fund balance there to \$3,234,443.31.

2. The Building Department for the year 2015 the number of permits issued were 861, certificates of occupancies and certificates of compliances were 871, we had 197 complaints answered, collected for the year \$263,249.00, made 2,500 inspections and 343 abstracts. Things are picking up a little bit in the building department.

3. I wanted to especially notice that Senator Bonacic was successful in obtaining a \$100,000 grant through the states municipal facilities capital program for the town to repair the Jayne Street Bridge located in the Village of Florida which is owned by the Town of Warwick. The wall is in desperate need of being replaced and this is wonderfully accepted by the Town and thank you Senator Bonacic for getting us that money and allowing that project to be done this spring. I want to thank him for that on the record.

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:

#R2016-58 AUTHORIZE SUPERVISOR TO SIGN AGREEMENT –THE COUNTY OF ORANGE

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to authorize supervisor to sign lease agreement with the County of Orange for one (1) 2016 Ford Explorer.

Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that this is for the Dial-A-Bus operation they provide an SUV periodically and we are retiring the old which goes back to the county and this one is delivered to us. There is no charge to us it comes from the county.

#R2016-59 SPECIAL EVENT PERMIT – SCENIC FARMS GOLF COURSE, LLC.

Motion Councilman Kowal, seconded Councilman Gerstner to adopt a resolution granting approval to the Scenic Farms Golf Course, LLC for Rental use of adjacent sod fields for soccer from April 1, 2016 to November 30, 2016 from 12:00 p.m. to 6:00 p.m. pending approval by Chief of Police. Application and Certificate of Insurance are on file in the Clerk's office. Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that there has been a permit issued for this the past couple of years and it seems to work really well and there are no traffic issues that we know of.

#R2016-60 AUTHORIZATION OF ESCROW REFUND – DOSS & MCMAHON LOT LINE CHANGE

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to authorize an escrow refund in the amount of \$1,036.25 to Planning Board applicant Doss & McMahon as per letter dated January 5, 2016 from the Planning Board Secretary. Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

#R2016-61 ADOPT TOWN OF WARWICK ASSET CAPITALIZATION POLICY

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to adopt Town of Warwick Asset Capitalization Policy. Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that this is something that our auditors have recommended. It sets out the limits of what we should put as a capital expense and what should just be expense. We set a lower threshold of \$5,000 and anything above that that qualifies to be as capitalized would be.

**#R2016-62 BUILDING PERMIT REFUND- D&D COMMUNICATIONS
ENTERPRISE INC.**

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to reimburse a permit application fee for permit #24355 in the amount of \$80.00 to D&D Communications Enterprise Inc, One Nadeau Road, Clifton Park, NY 12065 as per Building Inspector's letter dated January 12, 2016. Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

**#R2016-63 AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH
ORANGE/ULSTER BOCES**

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution for Supervisor to sign an agreement with Orange/Ulster BOCES to allow the Warwick Police Department to participate in the BOCES Clinical Rotation Program. Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that it's worked out well for the police ride along.

#R2016-64 AMEND RESOLUTION #2016-11 PART-TIME HIGHWAY LABORERS

Motion Councilman Shuback, seconded Councilman Kowal to adopt a resolution to amend resolution #R2016-11 that part-time Highway Laborers be compensated from the rate of \$10.90 per hour for new part-time laborers to the rate of \$10.70 per hour for new part-time laborers and \$11.75 per hour for returning part-time laborers when needed. Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that this was caught and the \$10.90 was an error and a mistake on the calculations and \$10.70 is the right amount a new laborer should start at.

**#R2016-65 ADOPT LOCAL LAW #1 OF 2016- ESTABLISH RIGHT TO FARM
POLICY**

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

WHEREAS, a Local Law to Establish Right to Farm Policy, and

WHEREAS, a public hearing was held as required by law on January 21, 2016 to consider the adoption of said local law, and

WHEREAS, the Town Board has considered all comments received and has determined that the adoption of the said local law is in the public interest,

NOW, THEREFORE BE IT RESOLVED that the said local law Establish Right to Farm Policy of the Code of the Town of Warwick is hereby adopted and same shall go into effect as provided by law.

Discussion: Supervisor Sweeton stated that this is a good law and is needed.

**#R2016-66 ACCEPT BID FOR EMERGENCY REPAIRS AS A RESULT OF
STORM CONDITIONS**

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to accept a bids from Allied Excavating Inc. and Earth-Tec Associates, Inc. for emergency repairs as a result of storm conditions as per submitted rate sheets. Motion carried (5 Ayes, 0 Nays) Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that both bids were accepted because they had different equipment prices for different types of equipment so FEMA, god forbid we have another large incident where FEMA is involved, likes you to have an already adopted list of emergency equipment that you can go to. We have used both of these individuals in the past under that process and we wanted to go out and get that list refreshed and we did get their two proposals. So depending on what equipment we might need in that emergency we would select the lowest bidder.

#R2016- 67 SEQR LEAD AGENCY – BEAUTIFUL PEOPLE SITE PLAN

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

State Environmental Quality Review (SEQR)

Resolution Establishing Lead Agency

Unlisted Action Undergoing Uncoordinated Review

Name of Action: Beautiful People Site Plan

Whereas, the Town of Warwick Town Board is considering action on a proposed Site Plan application by You Are Beautiful People for a ± 6.5 acre parcel of land located at Wickham Woodland Lake Town Park, State School Road, Town of Warwick, Orange County, New York, and

Whereas, an Environmental Assessment Form (EAF) dated December 4, 2015 was submitted at the time of application, and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Town Board has determined that the proposed project is an Unlisted action, and

Whereas, the Town Board has determined that the proposed project is not within an agricultural district and, therefore, the requirements of 6 NYCRR 617.6(a)(6) do not apply, and

Whereas, after examining the EAF, the Town Board has determined that there are no other involved and/or federal agencies on this matter.

Now Therefore Be It Resolved, that the Town Board hereby declares itself Lead Agency for the review of this action.

Be It Further Resolved, that a Determination of Significance will be made at such time as all information has been received by the Town Board to enable it to determine whether the action will or will not have a significant effect on the environment.

On a motion by Supervisor Sweeton, seconded by Councilman Gerstner, and a vote of 5 for, and 0 against, and 0 absent, this resolution was adopted on January 21, 2016. Supervisor Sweeton declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated when they are at the point to prepare a site plan they will bring it in and make a presentation to the Town Board. It is on town property and they are building a field and the planning board wanted us to go through the process as lead agency and that's what the resolution is about.

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

PRIVILEGE OF THE FLOOR (GENERAL)

Richard Murtie – Resident, Town of Warwick, NY 10990 – Has the Beautiful People met their contractual commitment as far as raising their money for this?

Supervisor Sweeton – I don't know that. Their agreement with us goes through the end of May and they have until that time to do so. They are not constructing anything at the moment. They are going to present a plan on what they are going to do so I assume at that point they will share it with us.

Richard Murtie – Thank you.

Supervisor Sweeton – You're very welcome.

EXECUTIVE SESSION: Motion Supervisor Sweeton, seconded Councilman Gerstner to enter into an executive session for the purpose of discussing the medical financial credit or employment history of a particular person or matters leading to set dismissal, removal, promotion, appointment of employment, discipline, demotion or suspension. Motion Carried (5 ayes, 0 nays) 7:50 p.m.

RE-CONVENE: Motion Councilman Gerstner seconded Councilman DeAngelo that the regular meeting be re-convened. Motion Carried (5 ayes, 0 nays) 8:15 p.m.

**ADJOURN: Motion Councilman Gerstner seconded Councilman DeAngelo that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 7:51 p.m.
01-21-16 CP**

Eileen Astorino, Town Clerk