

January 22, 2015

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, January 22, 2015 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 Lieutenant, John Rader

Supervisor Sweeton asked the public to pause for a moment of silence for the passing of Fred Bramich, a retired Town of Warwick Police Officer.

CORRESPONDENCE:

THOMAS F. MCGOVERN JR. – Chief of Police, Town of Warwick – Memo to the Supervisor and Town Board requesting that a check from Specht’s Auto Recycling Corp. in the amount of \$400.00 be transferred to the Equipment – Cars budget line (B02.00.3120.200).

THOMAS F. MCGOVERN JR. – Chief of Police, Town of Warwick – Memo to the Supervisor and Town Board requesting that a check from the NYS Office of the Attorney General, in the amount of \$1,063.00 be transferred to the Training budget line (B02.00.31220.480).

THOMAS F. MCGOVERN JR. – Chief of Police, Town of Warwick – Letter to the Town Board requesting that Annemarie Miles be appointed as a part time police Dispatcher to fill the vacant position created by the resignation of Rob Stack.

KEITH WOODRUFF – 60 Newport Bridge Rd., Warwick, NY 10990 – Letter to the Supervisor and Town Board stating his interest in being considered for appointment to the Town of Warwick Planning Board if a position becomes available.

JOHN J. BONACIC – State Senator, 42nd District, Room 509 Legislative Office Building, Albany, NY 12247 – Letter to the Town Clerk acknowledging the Town Board Resolution Opposing the Orange and Rockland Utilities, Inc. rate increases that was adopted by the Town Board on December 30, 2014. He states, “I agree with you and I am enclosing a copy of correspondence, dated November 25,

2014, which I wrote to the Public Service Commission in opposition to the rate hike.”

ERIN O’DELL-KELLER – Outreach Manager, Office of Consumer Service, Department of Public Service, Three Empire State Plaza, Albany, NY 12223-1350 – Letter to the Town requesting assistance in informing energy consumers of an energy modernization initiative which will fundamentally transform the way electricity is distributed and used in New York State. It will create the power grid of the future and enable customers to reduce their energy bills. To ensure full public participation in its regulatory reform efforts, the Department will conduct a series of informational sessions and public statement hearings. The dates and locations of the informational sessions and public statement hearings are available in the Town Clerk’s Office.

PETER D. BARLET – Town Justice, Town of Warwick – Letter to the Town Board requesting that Pat Maddalena attend the Annual New York State Association of Magistrates and Court Clerks Conference to be held in New York City from February 16 through February 18, 2015.

BOARD’S DISCUSSION ON CORRESPONDENCE

Supervisor Sweeton stated that Senator Bonacic agreed with the Town of Warwick that the proposed rate increase from Orange and Rockland Utilities for 11% on the electric delivery rate and 35% increase on gas utility rate are outrageous. I am working with the Orange County Associations of Towns, Cities and Villages to put together a consortium to oppose the rate increase once again as we did several years ago. At that point we got a 20 million dollar reduction in their rate request and we hope to do equally as well on behalf of the residents of the entire certainly Town of Warwick and Orange County that’s served by Orange and Rockland. We will keep you updated on that and we thank the Senator for that. There’s a letter from the Chief recommending the appointment of a part time dispatcher which we will have to entertain later. Also a letter from Judge Barlet requesting permission for one of the Clerks, Pat Maddalena to attend a court clerks conference in February.

VISITING ELECTED OFFICIALS

Supervisor Sweeton introduced the Fire Commissioner from the Warwick Fire Department, Joe Walters and Larry Kurnath from the Pine Island Fire District.

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>
TREE WORK	Brady Rd.	Clear roadsides
SNOW PLOWING	Town wide	Storms on 1/3, 1/4, 1/6, 1/18, and 1/19
VEHICLE MAINT.	As needed	
EMERG. REPAIRS	As needed	
ROAD SIGNS	Town wide	Replace as needed
MAIL BOXES	As needed	
HAUL MATERIAL	Stockpile	Sand

PARKS DEPARTMENT

ENVIRONMENTAL CONSULTANTS REPORT

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

Wickham Water District

Wells #1, #5 #6, #8, #10 monthly production	1,778,900 gal
Average daily use	57,400 gal
Sodium Hypochlorite used	160 qt
Orthophosphate used	48 qt
Caustic Soda	40 gal

Bellvale Park Water District

Total monthly production	80,300 gal
Average daily use	2,600 gal
Sodium Hypochlorite used	4 qt

Eurich Heights Water District

Total monthly production	155,000 gal
Average daily use	5,000 gal
Sodium Hypochlorite used	2 qt
Orthophosphate used	0 qt

Pine Island Water District

Total monthly production	267,900 gal
Average daily use	8,600 gal
Sodium Hypochlorite used	20 qt

Westside #1 Water District

Total monthly production	1,193,600 gal
Average daily use	38,500 gal
Sodium Hypochlorite used	160 qt
Orthophosphate used	24 qt
Caustic Soda	20 gal

The Fairgrounds

Total monthly production	175,500 gal
Average daily use	5,700 gal
Sodium Hypochlorite used	20 qt

Warwick Tech Park

Total monthly production	145,900 gal
Average daily use	5,600 gal
Sodium Hypochlorite used	10 qts

There were several water mains broken as the system was turned on, which accounts for the high water use.

Sewer District #1 Wastewater Treatment Facility

Warwick Corporate & Tech Park	0 gal	0%
Wickham Village District	2,382,229 gal	57%
Kings Estates District	1,789,371 gal	43%
<u>Total District Flow</u>	4,171,600 gal	100%
<u>Average Daily Flow</u>	134,568 gal	

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

The belt press ran for 0 hrs and 0 gal of polymer was used.

We started belt press maintenance, replacing belts and rollers

2,000 gallons of sludge and 2 cu. ft. of grit were removed from the site this month.

Sewer District #2 Wastewater Treatment Facility – The Fairgrounds

<u>Total District Flow</u>	145,830 gal
<u>Average Daily Flow</u>	4,704 gal

COUNCILMAN DE ANGELO REPORT

1. I have a few things from the Humane Society. They are having their first annual “Polar Plunge” at the Breezy Point Inn on Sunday, February 15th at 3:00 p.m. They are looking for participants. The first 25 participants will receive a free

knit hat. The proceeds will benefit the Warwick Valley Humane Society. The next rabies clinic is February 8th from 10:00 a.m. until 2:00 p.m. for cats and dogs it is \$15 per pet cash only please. Suzyn Barron, the President of the Humane Society, is urging people who have pets to have the proper shelter requirements in the bad weather.

2. For the month of December, 2014 the Post Report is as follows: Greenwood Lake had 159 calls, the Town outside the Village had 645 calls, Pine Island 245 calls and the Village of Warwick had 523 calls for a total of 1,572 calls for the month of December. We also received a letter from Joan Carbone the Superintendent of the Pine Bush School District regarding Sergeants Chris Blackburn and Alton Morley who made an informative and inspiring presentation to the students of the Pine Bush Leadership and Law Academy and it was very successful.

Lieutenant Rader – Supervisor Sweeton thank you on behalf of the department for the moment of silence for Officer Bramich. Even with his health issues he never lost his inspiration for being a police officer for the Town of Warwick. Our NARCAN Program is under way and the training is 98% completed within the department it will be in place and in service on the road and in our communications office so the officers are up to speed on that. We received part one today of a five part grant from Orange County where we will be stepping up DWI enforcement. As a town wide effort like we did last year and we started towards the end of the year before our police department in conjunction with the Village of Greenwood Lake and the Village of Florida and our first target date will be Super Bowl Sunday. The goal of this program is to curtail any drinking and driving and keep our roads safe.

Supervisor Sweeton – The point of that is to have people enjoy themselves and behave responsibly and arrange for rides. I know many of the establishments provide that service on these big events. Just be aware that the police will be out enforcing the law. In regards to Fred Bramich's passing, I know that the department made everyone proud with their display to honor Fred that day. Councilman DeAngelo, a good friend of Fred's, provided a wonderful eulogy and I know the family appreciated and we thank you for that.

COUNCILMAN KOWAL REPORT

1. The skating rink at the Pine Island Park is up for use if anyone wants to go and take advantage of it.

2. If there is inclement weather please respect the laws of physics and try not to drive fast as the conditions allow. There were a lot of accidents over the weekend and people have to be careful on icy roads.

Supervisor Sweeton – That was a particularly nasty storm and I think everyone was in the same boat that it happened fast with the precipitation and the temperature never really rose and it was a struggle. I think everyone did the best that they could and people need to be careful and on those kinds of days people just need to stay home unless it's absolutely essential. Just to point out since Commissioner Kurnath

is here the Pine Island Fire Department very graciously filled the skating rink in Pine Island for us. We appreciate that, thank you.

COUNCILMAN GERSTNER REPORT

1. Mike Cipolla the Chairman of our Recreation Commission will be setting up a meeting within in a month here. We will be inviting Councilman Kowal and Deputy Commissioner Roe to our first meeting to get things going. We will start meeting with the groups for the fields but we will keep you posted and we look forward to another successful year.

COUNCILMAN SHUBACK REPORT

1. The Highway Department has been keeping busy with the storms. Since the first of the year we have spent \$13,000 on sand and almost \$61,000 on salt and over \$40,000 on overtime alone for a total of \$114,100 for the past not quite 3 weeks.

Supervisor Sweeton – Thank you, it's been an expensive winter so far and it's just the beginning.

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

1. Fees Collected – Month of December, 2014 – Certified Marriages, \$90.00; Photocopies, \$30.25; Postage, \$0.48; Peddlers Permit, \$100.00; Interest in Town Clerk's Checking Account, \$0.10; Dog Impoundment Fees, \$590.00; Marriage License Fees, \$122.50; Bell Jar Permit Fees, \$10.00; Conservation Licenses, \$25.19; Dog Licenses Issued/Renewed, \$2,011.00; Use of Room Fees, \$120.00; Waterfront Park Non-Res. Fishing Permit, \$20.00. Total Fees Collected - \$7,032.83
2. Fees Paid – Month of December, 2014 – New York State Dept. of Health for Marriage Licenses, \$157.50; New York State Dept. of Ag & Markets for Spay/Neuter Program, \$245.00; New York State Dept. of Environmental Conservation for Conservation Licenses, \$735.81; New York State Comptroller for Bell Jar Permits, \$15.00; Village of Florida for Registrar Fees, \$40.00; Village of Greenwood Lake for Registrar Fees, \$430.00; Village of Warwick for Registrar Fees, \$1,800.00. Total Fees Paid to Supervisor - \$3,609.52

SUPERVISOR'S REPORT

1. The Florida Ambulance Service is now being provided through an agreement with the Warwick Ambulance Corp. This is the service that the Florida Fire District decided to get out of and it has been picked up smoothly by the Warwick Ambulance Corp. They have been busy in the Florida district. I know my daughter was on for several days and they were busy most of the day so I think it was a good thing that the Town Board stepped up to provide that service for the residents and it will continue to improve. They have enlisted several Florida area residents to the new service with the hope that once again there will be a Florida

Ambulance Corp. that will be a separate entity, but until that time we thank certainly Warwick Ambulance Corp. for stepping up to provide that service.

2. The Community Preservation Fund receipts for the month of December were \$82,957.08 which brings the total receipts that the fund has generated since its inception to \$5,080,471.22, so December was a good month for the fund.

3. Credit card acceptance - I just want to remind the public that the Town Clerks office now has a counter ability to accept payment for some of the fees there with a credit card, which is a convenience to some of the residents. The Tax Office is accepting payment for taxes online, so if you go to townofwarwick.org you go to the tax department there's a link that will take you to a screen that will allow you to punch in your bill number or your section, block and lot and you will be able to pay either with a debit, credit or electronic check. Some people may find that convenient. Clearly for the electronic check and debit there is a minor fee and it is obviously more for a credit card, so be aware of that but it is again a convenience. We anticipate next fall that the receiver's office will also do that at the counter.

4. The Building Department year end report for the Board and publics information for the year 2014 there were 761 permits issued, 806 certificates of occupancy or certificates of completion issued and 223 complaints filed. The money collected in the Building Department for 2014 was \$966,596.10. There were 2,783 inspections made and there were 327 abstracts done. It was a busy year for the building department and they did a great job down there and we appreciate that they've done that.

5. I attended a public hearing on the Orange County Ag Plan that was constructed by the Orange County Farmland and Ag Protection Board. Hopefully it will become at the next legislative meeting a component of the Orange County Comprehensive Plan. It's a tremendous document that is available on line on the Orange County Governments website under the planning department. Take a look at it, it has some real measurable goals and it will help enhance agriculture and continue to make it a strong economic engine for our areas. They did a great job and I urged the legislature last night to please adopt it and include it. It was a good hearing.

6. A meeting between AT&T and the Pine Island Fire District, many of you may have read the Dispatch that came out this week and unfortunately the reporter did not reach out to me as stated in here. Clearly there are some items in it that need to be clarified for the public. I want to be clear about something because the inference in the article is that the Town went behind the backs of the Pine Island Fire District. That is not correct. The Town was approached after a conversation with the DEC which the Fire District was represented to please meet with them. We accepted that invitation and they came to see us to talk about the issues. We had that conversation with them and we suggested, as the DEC did, that we convene a meeting with all the parties. Several days later AT&T's attorneys without consultation with the Town of Warwick or apparently the Pine Island Fire District issued a document called a memorandum of understanding. The Town had no part in creating that, did not review it and received it at the same time as the Pine Island Fire District. The Town did not agree to anything in the document and we assume that AT&T which they subsequently issued an email response to a document that

was to be for a discussion when all the parties met. I subsequently met with the Chairman of the Pine Island Fire District Mr. Ken Gurda and at the time Commissioner George Haas on December 31st, at their request to discuss the feelings that the Pine Island Fire District had, that somehow the Town was working against them. I explained to them that the Town was simply looking for any alternative that would provide a compromise by which the Fire District would get some of what they needed perhaps most of what they needed and that the Town could address the issues raised by its Planning Board who rejected the Pine Island Fire Districts statement that they were immune from zoning. It was our intent to meet with all parties in a meeting which has now been scheduled for next Tuesday at 3:00 p.m. We will have further information for the public at the conclusion of that meeting. Hopefully all the parties will come together and find some common ground to avoid whatever alternatives will have to be followed once decisions are made. Again, I am disappointed that the reporter did not reach me to clarify those issues.

7. 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:

#R2015-57 BUDGET TRANSFER – POLICE DEPARTMENT

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt the following Police Dept. budget transfer:

FROM	TO	AMOUNT
Check from Specht’s Auto Recycling Corp.	Equipment – Cars (B02.00.3120.200)	\$400.00

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

#R2015-58 BUDGET TRANSFER – POLICE DEPARTMENT

Motion Councilman DeAngelo, seconded Councilman Shuback to adopt the following Police Dept. budget transfer:

FROM	TO	AMOUNT
Check from NYS Office of the Attorney General	Training (B02.00.3120.480)	\$1,063.00

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

Discussion: Supervisor Sweeton stated that this is for the training on the NARCAN.

#R2015-59 AMEND RESOLUTION #R2014-59 REAPPOINTMENT TO TOWN OF WARWICK PLANNING BOARD – BEN ASTORINO

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to amend resolution #R2014-59 to change the term expiration date from December 31, 2018 to December 31, 2019 for Planning Board member Ben Astorino.

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

Discussion: Supervisor Sweeton stated that this was an error in the length of the term.

#R2015-60 DESIGNATION OF DELEGATE & ALTERNATE DELEGATE – ASSOCIATION OF TOWNS CONFERENCE

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to designate Michael P. Sweeton, Town of Warwick Supervisor, as the voting delegate to attend the New York State Association of Towns Annual Business Session on February 18, 2015 and to cast the vote of the Town of Warwick, pursuant to §6 of Article III of the Constitution and By-Laws of said Association; and James Gerstner, Town of Warwick Councilman, be designated as the Alternate Voting Delegate to cast the vote of the Town of Warwick in the absence of the voting delegate.

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

#R2015-61 SPECIAL EVENT PERMIT – WARWICK LIONS CLUB – ANNUAL 5K ROAD RACE

Motion Councilman Kowal, seconded Councilman Gerstner to adopt a resolution to authorize the use of the roads in the Town of Warwick by the Warwick Lions Club for their annual Labor Day 5K Road Race to be held on Monday, September 7, 2015 from 8:30 A.M. to 11:00 A.M. pending approval by the Chief of Police and proof of insurance.

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

#R2015-62 ADOPT WARWICK DIAL-A-BUS DRUG AND ALCOHOL TESTING POLICY

Motion Supervisor Sweeton, seconded Councilman Kowal adopt a resolution to accept the Warwick Dial-A-Bus Drug and Alcohol Testing Policy as revised to comply with the latest FTA regulations, effective immediately. Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

#R2015-63 AUTHORIZATION TO EXECUTE LEASES FOR THREE FORD E-450 CUTAWAY BUSES WITH THE COUNTY OF ORANGE

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to authorize the Supervisor to execute the leases for three (3) 2014 Ford E-450 cutaway buses and to agree to the payment by the Town of Warwick to the County of Orange for the local 10% match for two of the three buses. Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

#R2015-64 AUTHORIZATION TO SIGN MEMORANDUM OF UNDERSTANDING AGREEMENTS FOR AMBULANCE SERVICES – WARWICK COMMUNITY AMBULANCE SERVICES, INC., GREENWOOD LAKE AMBULANCE, INC. AND PINE ISLAND AMBULANCE CORPS, INC.

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to authorize the Supervisor to sign the Memorandum of Understanding Agreements for ambulance services with the Warwick Community Ambulance Services, Inc., Greenwood Lake Ambulance, Inc. and the Pine Island Ambulance Corps, Inc. for the year 2015. Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

Discussion: Supervisor Sweeton thanked them all for their service, they do a wonderful job and we appreciate it.

#R2015-65 APPOINTMENT OF PART TIME POLICE DISPATCHER – ANNEMARIE MILES

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to appoint Annemarie Miles as a part time police Dispatcher at a rate of pay of \$14.75 per hour effective January 24, 2015. Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**#R2015-66 AUTHORIZATION TO ATTEND NEW YORK STATE
ASSOCIATION OF MAGISTRATES AND COURT CLERKS
CONFERENCE – PAT MADDALENA**

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to authorize Pat Maddalena to attend the Annual NYS Association of Magistrates and Court Clerks Conference to be held on February 16 through February 18, 2015 at the Hotel Sheraton in New York City. Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**#R2015-67 AUTHORIZATION TO SIGN A TERMINATION AGREEMENT
THAT EXTINGUISHES AGREEMENTS AND DECLARATIONS
RELATING TO THE NOP FARM SUBDIVISION**

Motion Supervisor Sweeton, seconded Councilman DeAngelo to adopt the following resolution

WHEREAS, certain easements, declarations and offers of dedication were executed by and between the Town and Bing Nop and Elizabeth Nop pertaining to the subdivision of their property at 47 Union Corners Road, Warwick, New York; and

WHEREAS, the said property was subsequently sold to Meadowbrook Preserve, LLC, which abandoned the subdivision prior to the filing of the approved subdivision map; and

WHEREAS, the parties to the recorded documents have agreed to terminate same of record by the filing of a Termination Agreement which has been reviewed and approved by the attorney for the Town.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town Supervisor is authorized to execute and deliver for recording the Termination Agreement referenced here.

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

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

PRIVILEGE OF THE FLOOR (GENERAL)

John Finn – 16 Seneca Hill Road, Warwick, NY – I have a petition here I am going to present to the Board on behalf of the residents of Seneca Hill Road. I would like to read the following; “We the residents of Seneca Hill Road in the Town of Warwick do petition the Town Board to remedy the flow almost constant flowing of water coming from Schradin Hill Road onto Route 210. This water flowing for approximately 2 years and counting endangers all the children 8 of them who wait for their bus at the bottom of Seneca Hill. The ice that builds up there has prompted their bus drivers to request the state to salt here because they are afraid

of a child slipping under a bus. This can be confirmed via the school or the state DOT. This constant flow of water with the freeze thaw cycle created extra large potholes that inhibit the entrance to this road year round. The state said that the water is the responsibility of the town. Since the town supplies water to the residents of Schradin Hill we assume you have jurisdiction on that road.” That is the petition I have to present to the Board. I have some supporting documents here and I would like to present them.

Supervisor Sweeton – Yeah, absolutely please. Do you have copies or do you need copies?

John Finn – The copies are all here. There’s a short 30 second CD on there and a picture on it. They all signed it and here is some of the supporting evidence of the salt.

Supervisor Sweeton – We’ve had this issue and it’s a state road.

John Finn – The state says you and you say the state.

Supervisor Sweeton – We’ll get together with them and we’ll talk to them.

John Finn – I traveled 2 weeks ago to the Exxon station in West Milford and one place there was water on the road.

Supervisor Sweeton - Schradin Hill. Ok fair enough. Thank you for presenting that and I know how to get a hold of you.

**ADJOURN: Motion Councilman DeAngelo, seconded Councilman Gerstner that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 7:54 p.m.
01-22-15 CP.**

Marjorie Quackenbush, Town Clerk