

February 2, 2012

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, February 2, 2012 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor Sweeton called the meeting to order at 7:41 p.m.

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

Town Attorney, John Hicks – Absent  
DPW Commissioner, Jeff Feagles  
Police Chief, Thomas McGovern, Jr.

**ACCEPTANCE OF MINUTES:**

1. Regular Meeting, January 19, 2012

Motion Councilman DeAngelo, seconded Councilman Gerstner to accept the minutes as written from the Regular Meeting held on January 19, 2012.

Motion Carried (5 ayes, 0 nays)

**CORRESPONDENCE:**

**JAN JANSEN – Chairman, Town of Warwick, ZBA – Letter to the Supervisor requesting a refund for the cancellation of a ZBA application to George T. Vurno, Jr.**

**HON. BARBARA MOORE – Mayor, Village of Greenwood Lake – Letter to the Supervisor requesting donations from the Town of Warwick for the celebration of the American Weekend at the Thomas P. Morahan Park on July 6<sup>th</sup> and July 7<sup>th</sup>.**

**JOHN E. ZIOBRO, ESQ. – Stage, Nathans & Ziobro LLP., Attorney for Petitioner, 23 West Street, Warwick, NY 10990 – Letter to the Supervisor giving notice that Mr. & Mrs. Fuller have elected to go forward with an action to quiet title against the property owners who abut the disputed area.**

**JOSEPH O. SWANSON – President, Swanson Consulting Inc., Electrical Inspectors, P.O. Box 395, Salisbury Mills, NY 12577 – Letter to Wayne Stevens, Town of Warwick Building Inspector requesting approval to provide inspections of fuel gas systems and installed gas appliances.**

**EDWARD S. BUTLER, P.E. – 2 Herbert Hoover Drive, New Windsor, NY 12553 – Letter to the Supervisor and Town Board requesting to be considered as the Town of Warwick Engineer.**

**CONNIE SARDO – Secretary, Town of Warwick Planning Department – Letter to the Town Board requesting Planning Board applicant, Mark Gregorio be refunded the balance of his escrow in the amount of \$277.50.**

**CONNIE SARDO – Secretary, Town of Warwick Planning Department – Letter to the Town Board requesting Planning Board applicant, John G. Pennings be refunded the balance of his escrow in the amount of \$2,428.75.**

**CONNIE SARDO – Secretary, Town of Warwick Planning Department – Letter to the Town Board requesting Planning Board applicant, Alisha M. Fuller be refunded the balance of his escrow in the amount of \$684.60.**

**BARBARA E. DECKER, RMC – Secretary, Orange County Association of Towns, Villages & Cities – Letter to the Supervisor thanking him for his payment for 2012 annual dues and for sponsoring the 2012 Orange County Hospitality Suite at the Flatotel for the 2012 Training School and Annual Meeting of the Association of Towns of the State of New York in New York City, February 19-22, 2012.**

#### **BOARD’S DISCUSSION ON CORRESPONDENCE**

#### **VISITING ELECTED OFFICIALS**

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

#### **COMMITTEE REPORTS**

**Suzyn Barron – President, Warwick Valley Humane Society - I would like to extend an invitation to everyone present to come to the wedding of Jeter and Sabrina who are 14 year old Jack Russell Terriers at the Fetch Bar & Grill right here in Warwick on February 12<sup>th</sup> at 3:00 p.m. it’s going to be a cocktail reception. They are homeless so they are asking for a \$20 attendance fee so everyone is invited.**

**Supervisor Sweeton – Is there a gift registry?**

**Suzyn Barron – If anyone would like to make a gift to Jeter and Sabrina they are asking in lieu of gifts a donation be made to the Warwick Valley Humane Society in their name and they are holding off on any honeymoon until they find a home. We will do anything as you know to raise funds for the Humane Society.**

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

##### **WORK BEING**

<b><u>DONE</u></b>	<b><u>LOCATION</u></b>	<b><u>REASON FOR WORK</u></b>
DITCH WORK	Old Mt. Peter Rd.	Clean ditches
	Amity Rd.	Clean ditches
TREE WORK	Greenwood Lake Park	Clear for ball field

POT HOLES	Town wide	As needed
SANDING	Town wide	Ice on 1/23/12
	Town wide	Ice on 1/26/12
ROAD SIGNS	Town wide	As needed
HAUL MATERIAL	Road Grit	Haul to stockpile
WATER DEPT.	Sewer Plant	Help repair break at sewer plant

**COUNCILMAN DE ANGELO REPORT**

**1. I would urge you to go to this wedding. They are two lovely children here as everyone can see and I urge you to support the Warwick Valley Humane Society.**

**Supervisor Sweeton – Before I cede the floor to him I do want to welcome Councilman Kowal to his first board meeting and unfortunately your dad passed away our condolences on that. You missed our first meeting but congratulations and we look forward to working with you.**

**COUNCILMAN KOWAL REPORT**

- 1. January 5<sup>th</sup> I had the privilege of swearing in the slate officers for the Pine Island Seniors.**
- 2. This Monday as part of my duties as park liaison I toured parks with Mr. Bill Roe and found them to be in fairly good shape. There's always room for more work and we observed the process of the clearing of the trees and brush for the new base ball field in Greenwood Lake and there is going to be some work done on the soccer field this summer. Weather permitting it could be in shape this summer for the children to use but the work looks like it's going very well on the baseball part of it and I'm looking forward to going out there and seeing a few games when its open.**

**Supervisor Sweeton – We appreciate that and we're glad that you jumped right into the parks and will keep the tradition alive.**

**COUNCILMAN GERSTNER REPORT**

- 1. I also would like to welcome Russ to the Board and wish him good luck and a future of success here.**
- 2. I also would like to thank our Recreation Commission who is led by Mike Cipolla for the outstanding work they've done over the years and we'll be kicking back in and getting ready for the spring season.**
- 3. Also thank you to the parks in DPW for all their work out there.**

**COUNCILMAN SHUBACK REPORT**

- 1. This past Monday we had an ice storm and because a few people didn't show up to work Monday they called in sick we were grateful to have our Commissioner and his deputy fill in for them. It could have been a rough day if we had no one out sanding and moving trucks. We have to be grateful for them.**

**ATTORNEY'S REPORT**

## **TOWN CLERK'S REPORT**

### **SUPERVISOR'S REPORT**

1. There is going to be a benefit for the Wounded Warrior Program and it's being run by a fellow here Dan Chester who lives in Warwick. It should really be a great program, it's the Greater New York Wind Symphony conducted by Richard Regan and its going to feature an American Solute and part of it will be a narration by Harris Yulin who is a famous character actor. He will narrate Aaron Copland's Lincoln Portrait and that's going to be held at the Paramount Theatre on Sunday, February 12<sup>th</sup> at 7:00 p.m. tickets are available by calling the Paramount at 346-4195 and 100% of the proceeds will be donated to the Wounded Warrior Projects.

2. There have been a series of Sugar Loaf Sunday Socials being held at the Orange County Citizens Foundation which is the Seligmann Homestead which is in Sugar Loaf and they have been holding these socials. The next one is February 26<sup>th</sup> and it's a benefit for the farm workers who obviously haven't had a lot of work since the flooding occurred and they didn't get to participate in the harvest because there was no harvest. We had Farm Aid which was very successful and went to help the farmers themselves and a lot of the workers who work on the farms are in need of help as well. All the proceeds support the Alamo Farmer Workers Community Center which is located in Pine Island. Tickets can be obtained by calling the Citizens Foundation at 469-9459 and the next one is February 26<sup>th</sup> and starts at 4:30 p.m. and the tickets are \$35. If you can get there and you can publicize that we really would appreciate that.

3. I sit on as a representative of the Town of Warwick the Moodna Creek Watershed Inter-Municipal Council which is made up of 15 municipalities along the watershed of the Moodna which flows into the Hudson. They did have their quarterly meeting this past week and they are working on a lot of educational components. They have a science and data subcommittee of volunteer professionals that are collecting a lot of stream information about the flows through the Moodna where the bottlenecks are in an effort to understand how we can improve the flow of water. As you know as the Wallkill was devastated during the flooding so was the Moodna especially over in the New Windsor, Cornwall and Blooming Grove areas. This is a great effort to get communities along the creek and in the basin to understand their relationship to what happens in the watershed and get them thinking about how they can upgrade their own development plans etc. and stormwater control regulations so they don't exacerbate the issue of flooding along the Moodna Creek.

4. My budget review for the month I did go over all the journal entries and they were in order and booked properly so that is all in good shape.

5. 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:**

**#R2012-74 APPROVAL TO ADD SWANSON CONSULTING INC. TO LIST OF QUALIFIED AGENCIES TO CONDUCT 3<sup>rd</sup> PARTY INSPECTIONS OF FUEL GAS SYSTEMS AND INSTALLED GAS APPLIANCES**

Motion Councilman Gerstner, seconded Councilman Shuback to adopt a resolution to add Swanson Consulting Inc. to the Town's list of qualified agencies to conduct 3<sup>rd</sup> party inspections of fuel gas systems and installed gas appliances.  
Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**Discussion:** Supervisor Sweeton stated that this is a new requirement by O&R they want an inspection prior to hooking up a gas service to a new home or a refit to a home and our Building Inspector is not qualified to do those inspections so we are putting together an independent list and this is the first company that has signed up. As we do with electrical inspections we would try to create a list and encourage any other companies that are doing this service to get on our list so that when someone comes to the Building Department for a permit we can just give them the list and let them pick an inspector for that.

**#R2012-75 AUTHORIZATION OF ZBA APPLICATION FEE REFUND  
GEORGE T. VURNO JR.**

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to authorize a refund in the amount of \$150.00 to George T. Vurno Jr., for a zoning application fee, SBL# 53-1-20 as per the recommendation of the Zoning Board of Appeals Chairman; letter dated January 24, 2012.  
Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**#R2012-76 ACCEPT RESIGNATION – PART TIME DISPATCHER – JENNIFER HART**

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to accept the resignation of Jennifer Hart, part time dispatcher effective February 1, 2012.  
Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**Discussion:** Councilman Gerstner thanked Jennifer for her hard work as a dispatcher.

**#R2012-77 ACCEPT RESIGNATION FROM CONSERVATION BOARD –  
CHRISTINE LITTLE**

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to accept the resignation of Christine Little from the Conservation Board effective January 15, 2012.  
Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**Discussion: Supervisor Sweeton stated that Christine was appointed to our Planning Board as an alternative therefore she is leaving the Conservation Board.**

**#R2012-78 APPOINTMENT OF FULL TIME LABORER – DEPARTMENT OF PUBLIC WORKS – UGO BARCA JR.**

**Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to appoint Ugo Barca Jr. as a full time laborer for the Department of Public Works at a rate of pay of \$17.31 per hour effective February 4, 2012.**

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

**Discussion: Supervisor Sweeton stated that he has worked part time for us for about a year or so and during the interview process he's the one who rose to the top and was the recommendation of both Councilman Shuback and the Commissioner Feagles.**

**#R2012-79 PROMOTION OF DEPARTMENT OF PUBLIC WORKS LABORER TO MOTOR EQUIPMENT OPERATOR – JOHN M. KUSZEK**

**Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to promote John M. Kuszek from a DPW laborer to a Motor Equipment Operator at a rate of pay of \$26.19 per hour, Grade 5, Step 2 effective February 4, 2012.**

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

**Discussion: Supervisor Sweeton stated that John has been with us 8 years now who worked in various positions as a laborer and did a great job. He has been driving out of title as a motor equipment operator for the past year or so and this is through the contract process by seniority.**

**#R2012-80 PROMOTION OF DEPARTMENT OF PUBLIC WORKS LABORER TO MOTOR EQUIPMENT OPERATOR – MICHAEL CORKUM**

**Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to promote Michael Corkum from a DPW laborer to a Motor Equipment Operator at a rate of pay of \$25.10 per hour, Grade 5, Step 5 effective February 4, 2012.**

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

**Discussion: Supervisor Sweeton stated that Mike has worked for us for five years or so and is a very hard worker who also has been driving out of title for the past year and this is well deserved and we thank him.**

**#R2012-81 AUTHORIZATION OF ESCROW REFUND – JOHN G. PENNINGS**

**Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to authorization a refund in the amount of \$2,428.75, the balance of the**

escrow for SBL# 63-1-1.22, to Planning Board applicant John G. Pennings as per the recommendation of the Planning Board Secretary; letter dated January 27, 2012. Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**#R2012-82 AUTHORIZATION OF ESCROW REFUND – ALISHA M. FULLER**

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to authorization a refund in the amount of \$684.60, the balance of the escrow for SBL# 21-1-5, to Planning Board applicant Alisha M. Fuller as per the recommendation of the Planning Board Secretary; letter dated January 27, 2012. Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**#R2012-83 AUTHORIZATION OF ESCROW REFUND – MARK GREGORIO**

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to authorization a refund in the amount of \$277.50, the balance of the escrow for SBL# 43-1-64, to Planning Board applicant Mark Gregorio as per the recommendation of the Planning Board Secretary; letter dated January 27, 2012. Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

**#R2012-84 APPOINTMENT OF ZBA RECORDING SECRETARY – PAMELA CARROLL**

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to appoint Pamela Carroll as the recording secretary for the Zoning Board Appeals at a rate of pay of \$11.09 per hour effective February 4, 2012. 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)**

Richard Murtie – Resident, Town of Warwick, NY 10990 – Is there a standardization for the Town of Warwick for trucking equipment for DPW, Police whatever?

Supervisor Sweeton – In terms of what?

Richard Murtie – Retiring a vehicle cannibalizing any parts that can later be used for them?

Supervisor Sweeton – When we get to a point where we consider the equipment surplus we have been putting them on GovDeals which is an online auction and that's the process we've been using to dispose of them at this point. We have the mechanics here and if they feel they can do something with the vehicle we obviously

try to stretch out the use as long as we can but at some point we just put them on GovDeals.

**Richard Murtie – Signage and colors of vehicles that would be uniformed in the Town as far as identifications, vehicles that aren't identified as such DPW or what have you. There are some vehicles in the Town that aren't graphic that identifies them as Town vehicles.**

**Supervisor Sweeton – Ok, I don't think we have a stated policy on that but we can certainly look into it for you.**

**Richard Murtie - I just thought that the vehicles belonging to the Town should be identified as so.**

**Supervisor Sweeton – Ok fair enough, thank you.**

**Richard Murtie – I'm just wondering I've been taking in some of these meetings and I've never heard proposals to purchases wheels for department head vehicle alloyed wheels going on a plow truck? I just don't know how that...**

**Supervisor Sweeton – Well we have a procurement policy and you could look that up on line or we can give you a copy of it. There's a policy by which we're suppose to acquire things. The department heads when they get their budgets and they get their budgets approved they have to abide by the procurement policy. We don't have a purchase order system where by we look at anything under the authorization level for approval, so that's a discretion of a department head in that case. In many cases we're purchasing off of the state bid which is part of the procurement policy but if it's not off of the state bid we follow the policy, so anything less then a thousand dollars is to the discretion of the department head and anything above that there's a procedure for the number of proposals you need and then if it reaches another threshold you have to do a formal bidding process.**

**Councilman Shuback – Normally the DPW they have to purchase off the state bid and they solicit three bids from local vendors in the County and then we take the lowest bid.**

**Supervisor Sweeton – We do have a policy of trying to support local businesses if we can but we do that within the procurement policy so we'll solicit. When we go to purchase a vehicle we always solicit from the local vendors if we can get them but many times because of the state bid process they don't get some of the incentives that these bigger agencies get so they can't meet it and it's unfortunate but where we can we do that as long as we stay in the procurement policy.**

**Richard Murtie – The policy says anything under a thousand dollars is at the discretion of the department head.**

**Supervisor Sweeton – that’s correct.**

**Richard Murtie – With that I guess I’ll be giving you a call on that because I don’t understand taking good wheels off of a truck and putting aluminum alloyed wheels on a vehicle, I mean we’re not pimping rides here we’re having functioning vehicles.**

**Supervisor Sweeton – I’m in the office everyday so just even stop by and we can chat about it how’s that?**

**Richard Murtie – Ok, thank you.**

**Supervisor Sweeton – You’re welcome.**

**Suzyn Barron – President, Warwick Valley Humane Society – About the S&R Program, the State and Return Program for cats I wanted to thank the Town Board for renewing that program because I think it has been highly successful so much so that we’re using up the money more rapidly then we did in the past couple of years. We have revised it this year working with the Animal Rights Alliance Spay/Neuter Mobile Clinic were the resident use to be able to go get T.A.R.A. pay their \$70 come back with a receipt to the Warwick Humane Society and we would refund them \$50, well T.A.R.A. has proposed new certificates. We have the certificates at the shelter for both the Town of Warwick and the Town of Chester and instead of laying out the \$70 initially the people come in and purchase the certificate for \$20 and bring them directly to T.A.R.A. and T.A.R.A. subsequently will bill the Humane Society and we will pay the balance and then voucher the Town for the refund. We eliminate the wait for the refund and the fact that the resident has to put out \$70 to start with.**

**Supervisor Sweeton – that’s great.**

**Suzyn Barron – I just wanted to let the Town know that and pass the word that they can come in and buy the certificates before using T.A.R.A. That doesn’t mean they can’t go to their own vet that can still continue as it’s been.**

**Supervisor Sweeton – Could you send me that up so I can put it in the column?**

**Suzyn Barron – Yes.**

**Supervisor Sweeton – That would be great to get that word out and we appreciate it and that is a good program and we’re glad that we could support it. Before we adjourn I did want to mention that our condolences go out to Justice Barlet on the passing of his mother this past last week too, our thoughts go out to him.**

**ADJOURN: Motion Councilman DeAngelo, seconded Councilman Gerstner that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 8:01 p.m.  
02-02-12**

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**Carolyn Purta, Deputy Town Clerk**