

February 3, 2011

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, February 3, 2011 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor Sweeton called the meeting to order at 7:34 p.m.

ATTENDANCE: Supervisor Michael Sweeton
Councilman Floyd DeAngelo
Councilman Leonard DeBuck – Absent
Councilman James Gerstner
Councilman Mickey Shuback – Absent

Town Attorney, John Hicks

CORRESPONDENCE:

CONNIE SARDO – Secretary, Town of Warwick Planning Board – Letter to the Supervisor and Town Board requesting a refund on the balance of an escrow in the amount of \$1,496.25 to David Stanhewicz.

LINDA LASCH – Principal Clerk, Bureau of State Records, Department of State, One Commerce Plaza, Washington Avenue, Albany, NY 12231-0001 – Letter to the Town Clerk in regards to filing a local law with the Department of State.

JACLYN A. BRILLING – Secretary, State of New York Public Service Commission – Notice of a hearing to be held on Wednesday, February 2, 2011 at the Empire State Plaza, Agency Building Three, 3rd Floor Hearing Room, at 10:00 a.m., Thursday, February 10, 2011 at the Ramapo Town Hall, 237 Route 59, Suffern, NY from 4:00 p.m. until 6:00 p.m. and 8:00 p.m. until 10:00 p.m. and on February 17, 2011 in the legislative Chamber, County Office Building, 255 Main Street, Goshen, NY from 4:00 p.m. until 6:00 p.m. and from 8:00 p.m. until 10:00 p.m. for case 10-E-0362 on proceeding on motion of the Commission as to the rates, charges, rules and regulations of Orange and Rockland Utilities Inc., for electric service.

JACLYN A. BRILLING – Secretary, State of New York Public Service Commission – Notice of rescheduling of the above mentioned evidentiary hearing due to a forecast of hazardous weather conditions. The hearing has been rescheduled for Friday, February 4, 2011 at 8:30 a.m. and will continue on Monday, February 7, 2011 at 10:00 a.m. and thereafter from day to day as necessary.

CHRISTINE A. ARNER – Warwick Valley High School Crew Club, One Cedar Hill Drive, Warwick, NY 10990 – Letter to the Supervisor requesting approval to use the Thomas P. Morahan Waterfront Park for their annual Crew Regatta on Tuesday, May 10th from 2:00 p.m. until 8:00 p.m.

JEFF FEAGLES – Commissioner, Town of Warwick Department of Public Works, Warwick, NY 10990 - Memo to the Town Board requesting Morgan Rebelo be hired as a part time seasonal shotgun rider.

BOARD’S DISCUSSION ON CORRESPONDENCE

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

Supervisor Sweeton – Since Councilman Shuback is under the weather tonight at home I did want to give a storm report update so everybody knows in the Town of Warwick. The January storms, the total January storms that we had and I believe there were six or seven of them. We spent \$79,134.00 on salt and sand and \$52,231.00 in overtime for a total of \$131,366.00. So far in February, which is three days old we have spent \$25,638.00 in sand and salt and \$13,103.00 in over time for a total of \$38,742.00, so we’re hoping that the combination of the farmers almanac and the woodchuck not seeing his shadow means that we will get through the rest of the season with limited amounts of snow.

Councilman Gerstner – One hundred and seventy thousand dollars already this year.

Supervisor Sweeton – Yes. Other reports I do have all the building reports. I just thought for informational purposes for 2010 the Town issued 627 permits. 759 certificates of occupancy or certificates of compliance in a case of a business, we did 359 abstract letters, we collected \$178,535.10 and we conducted 3,301 inspections, so it was a busy year to spite the down year in the market; a lot of renovation work going on, expansions and such.

COMMITTEE REPORTS

DEPARTMENT OF PUBLIC WORKS REPORT

<u>WORK BEING DONE</u>	<u>LOCATION</u>	<u>REASON FOR WORK</u>
SNOW PLOWING	Town wide	Snow storms on 1/21, 1/24, 1/26, 1/27
ROAD SIGNS	Town wide	As needed
MAIL BOXES	Town wide	As needed
HAUL MATERIAL	Baldwin's	To stock pile (road grit)
	DPW	To GWL barn - mixed material

Supervisor Sweeton – We gave the Commissioner and his staff the evening off so they can get ready for Saturday’s storm and give them a little break. They are out there plowing and we ask several things. We ask residents to remember no parking on Town roads 24 hours before and 24 hours after a storm; you will be ticketed. Don’t plow snow into the road from your driveways and please be considerate of your neighbors traveling through the road. We also just want to remind people there is a lot of snow on the banks and the intersections so be careful when you’re going through those. DPW is not intentionally

trying to hit your mailbox I guarantee you that, so just understand that' it's difficult and we appreciate your patience.

ENVIRONMENTAL CONSULTANTS REPORT

Town Of Warwick - Water and Wastewater Operations Report - December, 2010

Wickham Water District

Wells #1, #5 #6, #8, #10 monthly production	3,114,000 gal
Average daily use	100,500 gal
Sodium Hypochlorite used	30 qt
Orthophosphate used	24 qt

Bellvale Park Water District

Total monthly production	100,400 gal
Average daily use	3,200 gal
Sodium Hypochlorite used	3 qt

Eurich Heights Water District

Total monthly production	183,300 gal
Average daily use	5,900 gal
Sodium Hypochlorite used	2 qt
Orthophosphate used	14 qt

Pine Island Water District

Total monthly production	214,500 gal
Average daily use	6,900 gal
Sodium Hypochlorite used	16 qt

Westside #1 Water District

Total monthly production	1,477,800 gal
Average daily use	47,700 gal
Sodium Hypochlorite used	80 qt
Orthophosphate used	20 qt
Caustic Soda	46 gal

Sewer District #1 Wastewater Treatment Facility

Mid-Orange Correctional District	4,931,930 gal	69%
Wickham Village District	2,006,454 gal	15%
Kings Estates District	1,153,671 gal	16%
<u>Total District Flow</u>	7,134,230 gal	100%

Average Daily Flow 230,136 gal

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

The belt press ran for 10 hrs, and 1 gal of polymer was used.

0 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 100,288 gal

Average Daily Flow 3,235 gal

COUNCILMAN DE ANGELO REPORT

1. I have a letter from Salvatore Cassano, Fire Commissioner for the City of New York, to Chief Thomas McGovern which I'd like to read "Dear Chief McGovern, I am writing to extend my gratitude to you for allocating Warwick Police Department resources for the funeral of FDNY Firefighter Roy Chelsen on January 15, 2011. The traffic control and escort your department provided, as well as assistance with the mapping of the funeral route were very helpful in making this solemn event proceed in a dignified manner. I appreciate your Department helping us to honor our deceased retired member and showing support to the Chelsen Family in a way that upholds FDNY traditions. Thank you again."

2. I have the yearend report for 2010 which compared to 2009 the arrests were up by 8.5%, the summons were decreased by 5.75%, the parking notices were up by 35%, accidents were down by 7%, which is good and accident/injuries were down by 11% and fatal accidents were down by 50%, calls for service were up by 3.25% and for the month of January the Post Report is as follows: Greenwood Lake had 202 calls, the Town outside the Village had 802, calls, Pine Island 260 calls and the Village of Warwick had 598 calls for a total of 1,862 calls for the month of January.

3. I had a request from Suzyn Baron, the President of the Warwick Humane Society. They are looking for donations from their wish list. They need Feline Pine litter, bleach, Simple Green cleaner, a desk top computer, two line telephones capable with Caller ID, and hypoallergenic dry food for dogs. They don't need any other food at this time. If you can help them by contributing it would be greatly appreciated.

COUNCILMAN DE BUCK REPORT – Absent

COUNCILMAN GERSTNER REPORT

1. I have a letter from WVT Communications; their home town online subsidiary of Warwick Valley Telephone Company will be removing the following channels from its digital TV channel lineup, American movie classic channel 98 on March 1st, Independent Film Channel on channel 89 on March 1st, Sports Net NY channel 40 on April 1st, Weather Channel on channel 10 on March 1st and Woman's Entertainment on channel 93 on March 1st.

2. From Cablevision they are going to have some Travel Channel repositioning effective March 1st in accordance with contractual obligation the Travel Channel SD and HD will be repositioned from 178 to 96 and cable card customers will find Travel Channel HD on

channel 763. Dish and HBO2 SD will be moved from its current location on 96 to channel 310 and customers can check www.optimum.com or check with your local cable representative.

3. Tomorrow evening the Raymond Hose Fire Co. in Warwick will be having a turkey dinner at Station #2 at 200 West Street from 5:00 p.m. until 7:00 p.m. You can call 986-4644 for ticket reservations and it should be a good time.

COUNCILMAN SHUBACK REPORT – Absent

ATTORNEY’S REPORT

TOWN CLERK’S REPORT

1. **Fees Collected: Month of January, 2011** – Code Book Updates, \$105.00; Certified Marriages, \$120.00; Photocopies, \$122.00; Carters Permits, \$775.00; Peddler Permits, \$300.00; Use of Kitchen Fees, \$50.00; Interest in Checking Account for Month of December, \$0.51; Dog Impoundment Fees, \$405.00; Town Park Pavilion Fees, \$250.00; Marriage License Fees, \$52.50; Bell Jar Permits, \$20.00; Games of Chance Permits, \$10.00; Conservation Licenses, \$6.24; Dog Licenses Issued/Renewed, \$2,461.00; Use of Room Fees, \$360.00; Registrar Fees, \$390.00; Zoning Maps, \$10.00; Town Park Deposits, \$100.00; Waterfront Park Group Deposit, \$150.00. **Total Fees Collected: \$8,235.51**
2. **Fees Paid: Month of January, 2011** – NYS Dept. of Health for Marriage Licenses, \$67.50; NYS Dept. of Ag & Markets for Spay/Neuter fees (Surcharge), \$309.00; NYS Dept. of Environmental Conservation for Conservation Licenses, \$106.76; NYS Comptroller for Bell Jar/Games of Chance Permits, \$45.00; Village of Greenwood Lake for Registrar Fees, \$60.00; Village of Warwick for Registrar Fees, \$1,960.00. **Total Fees Paid to Supervisor: \$5,687.25**

SUPERVISOR’S REPORT

1. United Water is a private water company that serves a small group of residents of the Town over toward the Tuxedo border off of Long Meadow Road; Sterling Pines is the development. They met with me to inform me that the State of New York has determined that they should have been collecting sales tax and paying sales tax on their water. Now they are negotiating with New York in terms of whether New York is going to try and get back taxes from them or just let them do it going forward, but the ultimate end is the residents of that water company will see a rise in their water rates to cover paying that sales tax. As soon as they have formalized numbers they’re going to meet with me and we’ll share it with the public for those residents that need to know.
2. I want to give a heads up that the Greenwood Forest Farms Association in Greenwood Lake, the first African-American resort community in New York State and is in the Town of Warwick, is again hosting on Saturday, February 12th two showings of their celebration of African-American History Month program. The first is at the Greenwood Lake Public Library from 10:30 a.m. until noon and then they are going to reprise it at the Albert Wisner Public Library in the Village of Warwick from 2:00 p.m.

until 3:30 p.m., so it's a lot of fun and there are kids that perform there and you should try and get there if you can.

3. **MTA Tax Challenge** - As the Board knows, we joined this suit filed by Nassau County against the unfair and unjust MTA tax that was enacted by the New York State Legislature and signed by Governor Paterson. A separate suit had been brought by the Town of Huntington. A State Supreme Court ruled on January 18th that, that case will not be heard in Suffolk County, but rather be moved to Albany County. We've been advised that the MTA has moved for a summary judgment to declare that the MTA tax is constitutional and if that judge in Albany County rules in their favor it will in effect in the Nassau County suit as well, so our hope that the Nassau County suit could prevail kind of takes a little hit from this we think, but we'll pass that on as soon as we know.
4. **The O & R Rate Case** - A group of municipalities here in Orange County banded together to oppose in many cases a 20 to 36% rate increase by O&R on all of their rate classifications has proceeded to file its objections. The Public Service Commission was going to hold only one meeting in Rockland County and has, I think through the urging of not only us but Assemblywoman Nancy Calhoun, now scheduled the two sessions in Orange County to be held on Thursday, February 17th an afternoon session at 4:00 p.m. until 6:00 p.m. and an evening session from 8:00 p.m. until 10:00 p.m. at the Legislative Chambers at the County Building in Goshen. If any resident would like to go they can go and give testimony to the Public Service Commission as to why they believe that O&R's rate increase amount is unjustified at this time and a consortium of municipalities will be there to do just that ourselves on behalf of all of our residents, but its good that they hear a lot.
5. **Just a programming note for meetings that have been rescheduled due to storm.** The Planning Board meeting that would have been held yesterday is being held on Monday evening at 7:30 p.m. following their regular work session. There are some items on there the Fairgrounds II which is the commercial area next to Price Chopper will be discussed in a public hearing as well as a cell tower out here towards Florida and some discussion of the Warwick Views Subdivision.
6. **The Monthly Budget Review** - I have reviewed again all of the journal entries that have been made this past time between this meeting and our last. They are all in order and have been signed off just so you know that.
7. **Supervisors Corner** is published each week in the Warwick Dispatch, with excerpts printed in the Warwick Advertiser every week and we appreciate them doing that.

PRIVILEGE OF THE FLOOR (AGENDA ITEMS)

There were no comments or questions on the agenda items.

NEW BUSINESS:

#R2011-76 AMEND RESOLUTION #R2010-255 – ADOPT LOCAL LAW #7 OF 2010-AMENDING THE CODE OF THE TOWN OF WARWICK, CHAPTER 89 “FLOOD DAMAGE PREVENTION”

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution amending resolution #R2010-255 changing the identifying number from Local Law #7 of 2010 to Local Law #1 of 2011 being that it was submitted to the Department of State for filing in 2011.

**Motion Carried (3 ayes, 0 nays, 2 absent – Councilman DeBuck and Councilman Shuback absent)
Supervisor declared this resolution duly adopted.**

**#R2011-77 HOME RULE REQUEST – TOWN OF WARWICK’S ABILITY TO CONTROL
TOWN SPEED LIMITS**

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution in support of Assembly Bill A.2606, Home Rule Request, supporting the Town of Warwick’s request to have the ability to control the town speed limits.

**Motion Carried (3 ayes, 0 nays, 2 absent – Councilman DeBuck and Councilman Shuback absent)
Supervisor declared this resolution duly adopted.**

Discussion: Supervisor Sweeton stated that every year we ask that the Town be given the authority to control its own speed limits. In New York State only city and villages have that right and in towns the State dictates what the speed limit will be on local roads, so we’re asking again for our Assemblywoman and our new Senator David Carlucci to initiate a bill.

#R2011-78 AUTHORIZE SPECIAL EVENT PERMIT – WARWICK LIONS CLUB

Motion Supervisor Sweeton, 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 5, 2011 subject to review by the Chief of Police and proof of proper insurance.

**Motion Carried (3 ayes, 0 nays, 2 absent – Councilman DeBuck and Councilman Shuback absent)
Supervisor declared this resolution duly adopted.**

**#R2011-79 AUTHORIZE SPECIAL EVENT PERMIT – GREENWOOD LAKES LIONS CLUB
– AG KELLY & MILLER BROS. CIRCUS**

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to authorize the Greenwood Lakes Lions Club to hold the AG Kelly & Miller Bros. Circus at the Greenwood Lake Park on Tuesday, June 14, 2011 from 4:30 p.m. to 7:30 p.m. pending approval by the Chief of Police. Application and Certificate of Insurance are on file in the Town Clerk’s Office.

**Motion Carried (3 ayes, 0 nays, 2 absent – Councilman DeBuck and Councilman Shuback absent)
Supervisor declared this resolution duly adopted.**

**#R2011-80 AUTHORIZE FOR USE OF THE EAST SHORE BEACH - WINTER CARNIVAL &
MOTORCYCLE ICE RACES**

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to authorize the use of the East Shore Beach in Greenwood Lake on February 20, 2011 by the Tri State Motorcycle Club for the Breezy Point Winter Carnival and Motorcycle Ice Races pending receipt of a release and waiver of liability agreement and proof of proper insurance.

**Motion Carried (3 ayes, 0 nays, 2 absent – Councilman DeBuck and Councilman Shuback absent)
Supervisor declared this resolution duly adopted.**

Discussion: Supervisor Sweeton stated that we have approved this several years in a row and it hasn't come off because of the ice conditions on the lake not being safe and I think this year it's probably going to happen because the lake is in sufficient freeze. This is going to be off of the East Shore Road; the old Town Beach property is where they are going to hold this that day, so if anyone is interested just show up.

**#R2011-81 RESOLUTION URGING THE NEW YORK STATE LEGISLATURE TO SUPPORT
THE FARMLAND PROTECTION PROGRAM AND ENVIRONMENTAL
PROTECTION FUND**

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

WHEREAS, agriculture is a significant contributor to New York's economy; and,

WHEREAS, farms provide jobs, support local businesses and are part of industry sectors that have a \$31 billion economic impact annually in New York; and,

WHEREAS, farms comprise 7 million acres of land in New York, roughly 25% of the state's land base; and,

WHEREAS, farmers have a strong track record of pro-active environmental stewardship in New York; and,

WHEREAS, rapidly changing economic conditions threaten the future viability of New York's agricultural industry; and,

WHEREAS, more than 425,000 acres of farmland were lost to development in New York between 1982 and 2007; and,

WHEREAS, the State of New York established a Farmland Protection Program in 1992 to assist towns and counties in developing and implementing local agricultural and farmland protection plans; and,

WHEREAS, over \$3 million has been awarded by the Farmland Protection Program to 50 counties and 64 towns to assist in the development of local agricultural and farmland protection plans; and,

WHEREAS, the Farmland Protection Program has awarded more than \$173 million to help farmers, local governments and land trusts permanently protect 74,000 acres on 303 farms; and,

WHEREAS, demand for Farmland Protection Program funding has been strong due to the program's popularity, with more than \$500 million in applications turned away since the program's inception in 1996; and,

WHEREAS, funding for the Farmland Protection Program is allocated from the state's Environmental Protection Fund (EPF), a dedicated fund whose principle funding source is a state Real Estate Transfer Tax (RETT); and,

WHEREAS, in 2010, funding for the Farmland Protection Program was cut by 51% and EPF funding was reduced by 37%,

WHEREAS, the Governor and State Legislature must take steps this year to protect New York's valuable farmland and strengthen the future for farms across New York; now, therefore, be it

RESOLVED, that the Town of Warwick does hereby support restoring New York's Environmental Protection Fund and Farmland Protection Program, and, be it further

RESOLVED, that the Town of Warwick does hereby urge state lawmakers to support New York's farmers, the state's agricultural economy and protection of valuable farmland by supporting \$22 million

in funding for the Farmland Protection Program and \$222 million for the Environmental Protection Fund; and be further

RESOLVED, that the Clerk of the Town of Warwick is hereby directed to forward copies of this resolution to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver, State Assemblywoman Annie Rabbitt, Senator David Carlucci and the American Farmland Trust. Motion Carried (3 ayes, 0 nays, 2 absent – Councilman DeBuck and Councilman Shuback absent) Supervisor declared this resolution duly adopted.

Discussion: Supervisor Sweeton stated that we currently have two farms pending that have been given awards by the State and when Governor Paterson froze the fund and then later cut the fund, funding for those farms was suspended. Our primary concern obviously is to continue our success in preserving farmland partnering with the State and at least getting funding for those two committed farms going forward. That's why we support this.

#R2011-82 ESCROW REFUND – DAVID STANHEWICZ

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to authorize a refund in the amount of \$1,496.25, the balance of the escrow for SBL# 24-1-42.25, 42.26, and 42.27, to Planning Board applicant David Stanhewicz, 20 Walling Road, Warwick, NY 10990 as per the recommendation of the Planning Board Secretary; letter dated January 31, 2011.

Motion Carried (3 ayes, 0 nays, 2 absent – Councilman DeBuck and Councilman Shuback absent) Supervisor declared this resolution duly adopted.

#R2011-83 AUTHORIZATION TO USE THE THOMAS P. MORAHAN PARK – WARWICK VALLEY HIGH SCHOOL AND TUXEDO CREW CLUBS

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to authorize the use of the Thomas P. Morahan Park from 2:00 p.m. – 8:00 p.m. on Tuesday, May 10, 2011 to the Warwick Valley High School and Tuxedo Crew Clubs for their annual Regatta where they will be hosting the Orange/Ulster Championships. Authorization is subject to receipt of proper insurance and review of plans for adequate port-a-johns, traffic control, overflow parking, certified lifeguards, safety launch boats and trash removal.

Motion Carried (3 ayes, 0 nays, 2 absent – Councilman DeBuck and Councilman Shuback absent) Supervisor declared this resolution duly adopted.

#R2011-84 AUTHORIZATION TO SIGN MEMORANDUM OF UNDERSTANDING FOR AMBULANCE SERVICES – WARWICK AMBULANCE CORPS, GREENWOOD LAKE AMBULANCE CORPS AND PINE ISLAND AMBULANCE CORPS

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to authorize the Supervisor to sign the Memorandum of Understanding Agreements for ambulance services with the Warwick Community Ambulance Corps, Greenwood Lake Ambulance Corps and Pine Island Volunteer Ambulance Corps.

Motion Carried (3 ayes, 0 nays, 2 absent – Councilman DeBuck and Councilman Shuback absent) Supervisor declared this resolution duly adopted.

**#R2011-85 APPOINTMENT OF PART TIME SEASONAL DPW LABORER (RIDER)
MORGAN REBELO**

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to appoint Morgan Rebelo as a part time seasonal DPW laborer (rider) at a rate of pay of \$10.50 per hour effective February 3, 2011.

**Motion Carried (3 ayes, 0 nays, 2 absent – Councilman DeBuck and Councilman Shuback absent)
Supervisor declared this resolution duly adopted.**

**#R2011-86 ESTABLISH LEAD AGENCY – ACQUISITION OF PARCEL IDENTIFIED
AS SECTION 35, BLOCK 1, LOT 21 FOR WICKHAM WATER DISTRICT**

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

WHEREAS, the Town of Warwick Town Board is considering acquisition of a ± 20.0 acre parcel of land located at Lake Station Road, Town of Warwick, Orange County, New York, and

WHEREAS, an Environmental Assessment Form (EAF) dated 02-01-2011 was prepared to address potential environmental effects of the action, 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 action 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.

**Motion Carried (3 ayes, 0 nays, 2 absent – Councilman DeBuck and Councilman Shuback absent)
Supervisor declared this resolution duly adopted.**

#R2011-87 APPOINTMENT OF TOWN ENGINEER/CODE ENFORCEMENT OFFICER

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to appoint Tectonic Engineering as Town Engineer/Code Enforcement Officer as per the 2011 rate schedule.

**Motion Carried (3 ayes, 0 nays, 2 absent – Councilman DeBuck and Councilman Shuback absent)
Supervisor declared this resolution duly adopted.**

Discussion: Supervisor Sweeton stated that this was a holdover from the beginning of the year and we are just formalizing it.

BILLS: Motion Councilman DeAngelo, seconded Councilman Gerstner to pay the bills as audited. Motion Carried (3 ayes, 0 nays, 2 absent – Councilman DeBuck and Councilman Shuback absent)

PRIVILEGE OF THE FLOOR (GENERAL)

There were no comments or questions under privilege of the floor.

ADJOURN: Motion Councilman DeAngelo, seconded Councilman Gerstner that the regular meeting be adjourned. Motion Carried (3 ayes, 0 nays, 2 absent – Councilman DeBuck and Councilman Shuback absent) 7:56 p.m.

02-03-11 cp.

Marjorie Quackenbush, Town Clerk