

March 14, 2013

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, March 14, 2013 at the Town Hall, 132 Kings Highway, Town of Warwick. Deputy Supervisor Gerstner called the meeting to order at 7:30 p.m.

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

Town Attorney, John Hicks – Absent
Deputy DPW Commissioner, William Roe

ACCEPTANCE OF MINUTES:

1. Public Hearing, 2/11/13
2. Regular Meeting, 2/14/13
3. Public Hearing, 2/26/13
4. Regular Meeting, 2/26/13

Motion Councilman DeAngelo, seconded Councilman Kowal to accept the minutes as written from the Public Hearing held on February 11, 2013, the Regular Meeting held on February 14, 2013, the Public Hearing held on February 26, 2013 and the Regular Meeting held on February 26, 2013.

Motion Carried (4 ayes, 0 nays & 1 absent Supervisor Sweeton absent)

CORRESPONDENCE:

SAMUEL DAVIES – 30 Barbara Drive, Warwick, NY 10990 – Letter to the Town of Warwick Police Department submitting my resignation as a Part Time Town of Warwick Police Department Dispatcher.

MARK PUTKOWSKI – 104 Little York Road, Warwick, NY 10990 – Letter to the Town Board requesting to be appointed to either the Town of Warwick Conservation Board or the Pine Island Recreation Committee.

BOB & CAROL LINGUANTI – Residents, Town of Warwick, NY 10990 – Letter to the Supervisor requesting to be appointed to the Town of Warwick Recreation Commission.

STEVEN PACK – 17 Meadow Ridge Road, Warwick, NY 10990 – Letter to the Supervisor requesting to be appointed to the Town of Warwick Recreation Commission.

ROBERT ITZLA – Assistant Chief, Florida Fire & Rescue, 19 South Main Street, P.O. Box 600, Florida, NY 10921 – Letter to the Town of Warwick Building

Department asking them to review Lincoln Road between Glenmere Homesites Road and Grandview Place and possibly eliminating Lincoln Road and change it to Grandview Place.

HON. JOHN J. BONACIC – Senator, 42nd District, 201 Dolson Avenue, Suite F, Middletown, NY 10940 – Letter sent to Hon. Marjorie Quackenbush, Town Clerk, 132 Kings Highway, Warwick, NY 10990 notifying her that he received copies of resolutions adopted on February 14th by the Town of Warwick regarding support of Assembly bills A88 and A824 and support of the Second Amendment.

RICHARD MAYFIELD – Director, Office of Community Development, 18 Seward Avenue, 1st Floor, Middletown, NY 10940 – Letter to the Town Clerk announcing funds up to \$20,000 at 0% interest rates that are available from the Office of the Community Development for residents for home repairs. For information /pre-screening call Mr. Cochran or Ms. Dietz at 845-615-3811 or 845-615-3815.

BOARD’S DISCUSSION ON CORRESPONDENCE

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

1. Katie O’Reilly – Warwick Valley Central School District Liaison – The Warwick Valley Drama Club will be performing “Les Miserables” at the High School Auditorium and you can check the district webpage for show times and ticket prices. The school district used up all five of its allotted snow days during Hurricane Sandy. The cancelation of school due to winter storm Nemo will be made up on April 1, 2013. Last Friday’s snow day would normally have been made up on March 25th but the Superintendent is scheduling a Superintendent Conference for this day. That will mean the 25th will be a conference day for teachers and a legal day off for students.

COMMITTEE REPORTS

ENVIRONMENTAL CONSULTANTS REPORT

Town Of Warwick - Water and Wastewater Operations Report - February, 2013

Wickham Water District

Wells #1, #5 #6, #8, #10 monthly production	1,878,700 gal
Average daily use	67,100 gal
Sodium Hypochlorite used	1406 qt
Orthophosphate used	48 qt

Soda Ash 750 lbs

Bellvale Park Water District

Total monthly production 75,800 gal
Average daily use 2,700 gal
Sodium Hypochlorite used 2 qt

Eurich Heights Water District

Total monthly production 152,900 gal
Average daily use 5,500 gal
Sodium Hypochlorite used 4 qt
Orthophosphate used 12 qt

Pine Island Water District

Total monthly production 195,100 gal
Average daily use 7,000 gal
Sodium Hypochlorite used 20 qt

Westside #1 Water District

Total monthly production 2,025,600 gal
Average daily use 72,300 gal
Sodium Hypochlorite used 100 qt
Orthophosphate used 60 qt
Caustic Soda 20 gal

The Fairgrounds

Total monthly production 170,800 gal
Average daily use 6,300 gal
Sodium Hypochlorite used 20 qt

Sewer District #1 Wastewater Treatment Facility

Mid-Orange Correctional District	0 gal	0%
Wickham Village District	2,615,979 gal	60%
Kings Estates District	1,719,551 gal	40%
<u>Total District Flow</u>	4,335,530 gal	100%
<u>Average Daily Flow</u>	154,840 gal	

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

The belt press ran for 55 hrs. and 2.75 gal of polymer was used.

20 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

<u>Total District Flow</u>	115,933 gal
<u>Average Daily Flow</u>	4,140 gal

DEPARTMENT OF PUBLIC WORKS

**WORK
BEING
DONE**

	<u>LOCATION</u>	<u>REASON FOR WORK</u>
TREE WORK	Blooms Corners Rd.	Clear right of way
POT HOLES	Town wide	As needed
SNOW PLOWING	Snowstorm	3/7/13 & 3/8/13
SANDING	Town wide	3/7/13 & 3/8/13
ROAD SIGNS	Town wide	As needed
MAIL BOXES	Town wide	As needed

COUNCILMAN DE ANGELO REPORT

1. For the month of February, 2013 the Post Report is as follows: Greenwood Lake had 215 calls, the Town outside the Village had 848 calls, Pine Island 335 calls and the Village of Warwick had 710 calls for a total of 2,108 calls for the month of February.

2. The Warwick Valley Humane Society is having cat and dog photo contest. Entries must be postmarked for dogs by May 27th and for the cats June 1st. It is \$10 for each 4x6 nonreturnable color or black and white photo for each category entered. The categories for dogs are Special Senior, Special Friend or Precious Pup. For cats they have Silly Kitty, Fancy Feline, Cat-i-tude and Purr-Fect pose. You can mail them to P.O. Box 61, Warwick, NY 10990.

3. On Saturday, April 6th they have the T.A.R.A. The Animal Rights Alliance is having a spay and neuter mobile clinic for cats only which includes a rabies vaccine at the Warwick Valley Humane Society. For Chester and Warwick residents its \$20 per cat with purchase of SNR certificate; all others are \$70 per cat. A pre-registration is required with a cash fee and the phone number is 986-2473.

4. The Warwick Valley Humane Society is looking for donations of heavy duty garbage bags, bleach, Simple Green, natural wood stove pellets and canned ground cat food.

5. On April 7th from 11:00 a.m. until 1:00 p.m. the Town of Warwick Republican Committee is having their Spring Brunch at the Landmark.

6. On April 7th from 2:00 p.m. until 4:00 p.m. the Greenwood Lake Lions Club is having a roast beef dinner at the America Legion in Greenwood Lake.

COUNCILMAN KOWAL REPORT

1. The Warwick Gardeners Club will be paying for and installing a waterline at the Pine Island Park for the water play yard as soon as they can this spring when the frost is out of the ground.

2. The Soccer Club has supplied 150 tons of underlying grit for athletic fields two and three and later this spring they will be supplying the topsoil to finish it off. These are two good examples of how private organizations contribute to the Town Parks if they see a need, realizing that the Town doesn't have a lot of leeway in their budget for these types of things. I think it's nice of the garden association and the soccer club to come forward with this. The athletic field in Greenwood Lake will be reseeded sometime this spring as the conditions allow and hopefully it will be good enough to start later this summer or fall.

COUNCILMAN GERSTNER REPORT

1. I have a letter from Cablevision addressed to Supervisor Sweeton regarding programming costs for sport related programming has sustained significant increases in recent years. In spite of these increased costs providing residential business and entertaining customers with additional channels on demand content the new TV to go services that allow customers to view the programming they receive both in and out of the home. Optimum has chosen not to increase video rates since December of 2010 in order to address the portion of the dramatic programming cost increase Cablevision has faced since 2010 three rate adjustments going into effect April 1, 2013. A sports programming surcharge of \$2.98 per month will be applied to residential and commercial customer packages with the exception of broadcast basic and the economy packages. A \$2.00 a month increase of the Spanish language package which includes more than 45 Spanish language channels will be applied to the OI and Espanol packages and optimum business increase of \$4.00 a month will be applied to commercial customers subscribing to all optimum businesses and packages with the exception of the broadcast basic package. The three rate adjustments do not apply to certain customers on promotional pricing or billing arrangements. Customers will be notified of these changes 30 days in advance through bill messages and you can always go to the website at www.optimum.com.

2. On March 17th the Excelsior Hose Company in Warwick will have their corned beef dinner at Fire Station One from 3:00 p.m. until 7:00 p.m.

COUNCILMAN SHUBACK REPORT

1. The Highway Department is busy cleaning brush and getting ready for spring work in between the snow.

ATTORNEY'S REPORT – Absent

TOWN CLERK'S REPORT

1. Fees Collected – Month of February, 2013 – Film & Video Permit, \$1,500.00; Copies of Maps, \$30.00; ATV Impoundment Fees, \$500.00; Certified Marriages, \$50.00; Photocopies, \$3.75; Use of Kitchen Fees, \$100.00; Use of Senior Center, \$50.00; Interest in Checking Account for Month of January, \$0.45; Dog Impoundments,

\$225.00; Town Park Pavilion Fees, \$275.00; Marriage License Fees, \$70.00; Conservation Licenses, \$10.16; Dog Licenses Issued/Renewed, \$2,098.00; Use of Room Fees, \$140.00; Registrar Fees, \$200.00; Town Park Deposits, \$150.00; Waterfront Park Group Deposit, \$150.00. Total Fees Collected: \$7,840.20

- 2. Fees Paid – Month of February, 2013 – NYS Dept. of Health for Marriage Licenses, \$90.00; NYS Dept. of Ag & Markets for Spay/Neuter Program, \$263.00; NYS Environmental Conservation for Conservation Licenses, \$174.84; Village of Florida for Registrar Fees, \$10.00; Village of Greenwood Lake for Registrar Fees, \$110.00; Village of Warwick for Registrar Fees, \$1,640.00. Total Fees Paid to the Supervisor, \$5,552.36**

SUPERVISOR’S REPORT – Deputy Supervisor Gerstner stated that the Supervisor is representing the Town of Warwick at the 911 Center sitting on a panel for the County. Also his Supervisor’s report 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:

#R2013-99 ACCEPT RESIGNATION – SAMUEL DAVIES

Motion Councilman DeAngelo, seconded Councilman Kowal to adopt a resolution to accept the resignation of Police Dispatcher, Samuel Davies, effective immediately.

Motion Carried (4 ayes, 0 nays, 1 absent – Supervisor Sweeton absent) Deputy Supervisor Gerstner declared this resolution duly adopted.

Discussion: Deputy Supervisor thanked Samuel for his work and we wish him well because he is being deployed over to Afghanistan and we thank him for his service.

#R2013-100 PROCLAMATION – PREVENTION OF ANIMAL CRUELTY MONTH

Motion Councilman DeAngelo, seconded Councilman Shuback to adopt the following resolution:

WHEREAS, the Warwick Town Board, the citizens of the Town of Warwick and the Warwick Valley Humane Society are concerned with the humane treatment of animals, and

WHEREAS, the kind and humane treatment of animals has a strong correlation to the kind and humane treatment of people, and

WHEREAS, animal cruelty is proven to directly parallel violent and criminal acts on people, and

WHEREAS, together with the Warwick Valley Humane Society, the Town of Warwick urges the vigorous enforcement of existing animal cruelty laws and want

to make the public more aware of these laws in hopes of eliminating cruelty to all animals, wild or tame, and

WHEREAS, the month of April has been established as “Prevention of Animal Cruelty Month”

NOW, THEREFORE, I, Michael Sweeton, Supervisor of the Town of Warwick, do hereby proclaim April 2013 “PREVENTION OF ANIMAL CRUELTY MONTH” and call upon all residents to treat any and all animals with kindness, consideration and respect, and to report the abuse, neglect and cruelty of all animals to law enforcement agencies or to the Warwick Valley Humane Society. Motion Carried (4 ayes, 0 nays, 1 absent – Supervisor Sweeton absent) Deputy Supervisor Gerstner declared this resolution duly adopted.

#R2013-101 AUTHORIZATION TO SIGN AGREEMENT WITH COUNTY OF ORANGE – BUS OPERATOR CONTRACT

Motion Councilman Shuback, seconded Councilman DeAngelo to adopt a resolution to authorize the Supervisor to sign an agreement with the County of Orange for a new Bus Operator contract.

Motion Carried (4 ayes, 0 nays, 1 absent – Supervisor Sweeton absent) Deputy Supervisor Gerstner declared this resolution duly adopted.

#R2013-102 AUTHORIZATION TO CHANGE NAME OF ROAD – LINCOLN ROAD

Motion Councilman Shuback, seconded Councilman DeAngelo to adopt a resolution to authorize the Supervisor to officially change the name of Lincoln Road to Grandview Place at the request of the Florida Fire Department to eliminate confusion for the Fire and EMS personnel in the future.

Motion Carried (4 ayes, 0 nays, 1 absent – Supervisor Sweeton absent) Deputy Supervisor Gerstner declared this resolution duly adopted.

Discussion: Deputy Supervisor stated that there are no houses on this road it’s just a connection to Grandview and Glenmere Homesites, it’s just cross streets for their response.

#R2013-103 APPROVAL FOR SPECIAL EVENT – 5K FUNDRAISER FOR TECHNOLOGY – ST. STEPHEN SCHOOL

Motion Councilman Kowal, seconded Councilman DeAngelo to adopt a resolution granting approval for the use of town roads to St. Stephen Church to hold a 5K fundraiser for Technology on April 27, 2013 from 7:00 a.m. to 12:00 p.m. pending approval by Chief of Police. Application and Certificate of Insurance are on file in the Clerk’s office.

Motion Carried (4 ayes, 0 nays, 1 absent – Supervisor Sweeton absent) Deputy Supervisor Gerstner declared this resolution duly adopted.

**#R2013-104 AUTHORIZATION TO SIGN 2012 SERVICE AWARD PROGRAM
CERTIFICATE – WARWICK COMMUNITY AMBULANCE
SERVICE**

Motion Councilman Kowal, seconded Councilman Shuback to adopt a resolution to authorize the Supervisor to sign the 2012 Service Award Program Certificate form for the Warwick Community Ambulance Service.

Motion Carried (4 ayes, 0 nays, 1 absent – Supervisor Sweeton absent) Deputy Supervisor Gerstner declared this resolution duly adopted.

**#R2013-105 AUTHORIZATION TO SIGN 2012 SERVICE AWARD PROGRAM
CERTIFICATE – GREENWOOD LAKE AMBULANCE INC.**

Motion Councilman DeAngelo, seconded Councilman Kowal to adopt a resolution to authorize the Supervisor to sign the 2012 Service Award Program Certificate form for the Greenwood Lake Ambulance Inc.

Motion Carried (4 ayes, 0 nays, 1 absent – Supervisor Sweeton absent) Deputy Supervisor Gerstner declared this resolution duly adopted.

**#R2013-106 APPROVAL OF FILM AND VIDEO PERMIT – HALF A YOGURT
PRODUCTIONS, LLC**

Motion Councilman Kowal, seconded Councilman DeAngelo to adopt a resolution to approve the application for a film and video permit to Half A Yogurt Productions, LLC to film scenes for an upcoming episode of the television series, “Girls” in the Town of Warwick. Application and Certificate of Insurance are on file in the Clerk’s Office.

Motion Carried (4 ayes, 0 nays, 1 absent – Supervisor Sweeton absent) Deputy Supervisor Gerstner declared this resolution duly adopted.

BILLS: Motion Councilman DeAngelo, seconded Councilman Kowal to pay the bills as audited. Motion Carried (4 ayes, 0 nays & 1 absent Supervisor Sweeton absent)

PRIVILEGE OF THE FLOOR (GENERAL)

Vic Peddle – I’m a Village of Warwick resident and everybody knows there are concerns about the school system and what’s going on between an elementary school closing. Hallowed Ground is owned by the Warwick Conservancy which I don’t know if the town helps them out or where they get their funding from? The only thing separating Hallowed Ground and the park next door is a chain link fence. Across the street you have Park Avenue playground which stretches all the way to Stanley Deming Park. I was wondering if there is some sort of way the town could work with PDR or any type of thing in case Park Avenue closes and sells we could turn that into parkland as opposed to across the street the bus depot is going to get developed eventually and to see both sides of the street developed right there where the Welcome to Warwick sign is. You have the Hallowed Ground there you could just make it larger and you can make Stanley Deming Park larger. Then you will

have a park from the corner of Forester and 17 to the corner of Third and South Street. This is the only opportunity to do that if this does come through if that park gets sold or whatever gets sold. If the park doesn't get sold you can still make a deal and then rent it back to the school system for a \$1 a year or something and then you would get the money into the school system. Then it would be Warwick helping Warwick and you would keep the money local.

Deputy Supervisor Gerstner – Being that it is located in the Village of Warwick with the Mayor and the Trustees they would have to start the process since it's their village lands. The town has no control over village lands and they would have to start the process.

Vic Peddle – I believe it would not be school system land.

Deputy Supervisor Gerstner – It would be school system land but I'm not sure they own the Hallowed Ground there.

Vic Peddle – That's Warwick Conservancy.

Deputy Supervisor Gerstner – Right, so the land the school system owns and they would have to do what they need to do with that portion but being that it's located in the village they would have to go through the Village Planning Board and Village Board for anything down the road for what would happen with that parcel or anything else.

Councilman DeAngelo - It all hinges on the school closing though.

Vic Peddle – It could work both ways even if it stays open the deal could go through and the money could be put in the school system in case it ever did close it could be a park and lease it back to the school system if the school is open.

Deputy Supervisor Gerstner – We would have to check on that. We could put that in and discuss that.

Councilman Kowal – I believe the village would be the lead agency on that.

ADJOURN: Motion Councilman DeAngelo, seconded Councilman Gerstner that the regular meeting be adjourned. Motion Carried (4 ayes, 0 nays & 1 absent-Supervisor Sweeton absent) 7:47 p.m.

03-14-13 CP.

Marjorie Quackenbush, Town Clerk