

March 22, 2012

The regular meeting of the Town Board of the Town of Warwick was held on Thursday, March 22, 2012 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

Town Attorney, John Hicks – Absent
Deputy DPW Commissioner, Ben Astorino
Police Chief, Thomas McGovern, Jr.

ACCEPTANCE OF MINUTES:

1. Regular Meeting, 3/8/12

Motion Councilman DeAngelo, seconded Councilman Shuback to accept the minutes as written from the Regular Meeting held on March 8, 2012.

Motion Carried (5 ayes, 0 nays)

CORRESPONDENCE:

KEVIN WALSH – Vice-Chairman, Vision CC Board of Trustees, Vision Community Church, P.O. Box 1122, Warwick, NY 10990 – Letter to the Supervisor and Town Board requesting that the \$100.00 sign permit application fee be waived as they also sponsor the Warwick Community Kitchen and both are charitable organizations that support the community in the Town of Warwick.

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Warwick has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Town of Warwick Municipal Bus Garage

COMMITTEE REPORTS

ENVIRONMENTAL CONSULTANTS REPORT

Town Of Warwick - Water and Wastewater Operations Report - February, 2012

Wickham Water District

Well #11 monthly production	1,722,200 gal
Average daily use	59,400 gal
Sodium Hypochlorite used	140 qt
Orthophosphate used	0 qt
Soda Ash	750 lbs

Bellvale Park Water District

Total monthly production	140,300 gal
Average daily use	4,800 gal
Sodium Hypochlorite used	10 qt

Eurich Heights Water District

Total monthly production	160,400 gal
Average daily use	5,500 gal
Sodium Hypochlorite used	3 qt
Orthophosphate used	12 qt

Pine Island Water District

Total monthly production	243,200 gal
Average daily use	8,400 gal
Sodium Hypochlorite used	20 qt

Westside #1 Water District

Total monthly production	2,763,700 gal
Average daily use	95,300 gal
Sodium Hypochlorite used	230 qt
Orthophosphate used	192 qt
Caustic Soda	0 gal

The Fairgrounds

Total monthly production	156,500 gal
Average daily use	5,400 gal
Sodium Hypochlorite used	0 qt

Sewer District #1 Wastewater Treatment Facility

Mid-Orange Correctional District	55,400 gal	1%
Wickham Village District	2,309,427 gal	59%
Kings Estates District	1,586,983 gal	40%
<u>Total District Flow</u>	3,901,810 gal	100%
<u>Average Daily Flow</u>	134,545 gal	

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

The belt press ran for 15 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

<u>Total District Flow</u>	73,405 gal
<u>Average Daily Flow</u>	2,531 gal

DEPARTMENT OF PUBLIC WORKS REPORT

<u>WORK BEING DONE</u>	<u>LOCATION</u>	<u>REASON FOR WORK</u>	<u>LENGTH</u>
CULVERT PIPES	Missionland Rd.	Replace old pipe	30 ft. of 4 ft.
	Gurda Ln.	Replace old pipe	50 ft. of 36"
	Missionland Rd.	Replace old pipe	40 ft. of 24"
DITCH WORK	Conklin Rd.	Clean ditches	
	Missionland Rd.	Help culvert crew	
	Chardavoyne Rd.	Clean ditches	
BALL FIELDS	Union Corners Rd.	Preparing fields	
POT HOLES	Town wide	As needed	
ROAD SIGNS	Town wide	As needed	
WATER DEPT.	Lakeshore Rd.	Replace hydrant	
	Jersey Ave.	Repair main	

COUNCILMAN DE ANGELO REPORT

1. Suzyn Barron from the Warwick Humane Society has a wish list of supplies for Feline Pine or Equine Pine pellet bedding for use of litter for cats, bleach, Simple Green cleaner, laundry and dish detergent, heavy duty garbage bags, paper towels, Friskies pate or any ground can cat food and large dog bones are a welcomed treat.

COUNCILMAN KOWAL REPORT

1. The DPW is continuing to clean the parks up from the winter's brush that fell down. The last time I went by Union Corners Park they hadn't cut across the road yet. I believe they are waiting for the asphalt plant to open up.

Deputy DPW Commissioner Astorino – I think they are waiting for the contractor to come with the machine and do it. The asphalt plant has opened up so we're ready to go whenever the contractor is.

Councilman Kowal – Its very dry and they need the water on the other side of the street and that will be a good source for it.

Supervisor Sweeton – That's to bring the water from the good well on one side over to the sports field where we need it.

COUNCILMAN GERSTNER REPORT

1. Our Recreation Commission will be having a meeting tonight following our meeting. Mike Cipolla will be here as well as members from our Rec Committee and we will be discussing our fall season as the spring is vastly approaching and is pretty much set up, so we will be planning ahead.

2. I too would like to congratulate all the winners in the village elections and thank all for running. I would like to commend Mr. Tom Chevrier from the Village of Florida who is on our Rec Commission for the job he's done in the past with the recreation program; he did a tremendous job on that and I know he will be sorely missed and I wish him well he did a good job.

COUNCILMAN SHUBACK REPORT

1. The Town Highway seems to be replacing more culverts especially on the muck soil which is a problem all the time and they've been busy removing brush along the roads and maybe we'll catch up in twenty years.

Supervisor Sweeton – The Union Corners Park where we were dumping the debris from the hurricanes is closed now because FEMA has estimated how much is there and what they're going to pay us for, so we're in the process of having that chipped up. Residents can no longer bring debris to Union Corners Park and if we can publicize that it would be helpful.

ATTORNEY'S REPORT – Absent

TOWN CLERK'S REPORT

1. Our GovDeals online auction for the sale of two used police vehicles is complete. The Town of Warwick netted the following from this sale:

1987 Ford Econoline E350 Van (Vin # 1FDKE3018HHA66146)	\$1,146.07
2001 Chevrolet Impala (Vin # 2G1WF55K219323658)	\$2,775.00

2. I received a notice from the New York State DEC announcing that they are having examinations for anyone interested in being a licensed volunteer wildlife rehabilitator or someone seeking an apprentice license to practice the sport of falconry. Those exams have been scheduled for April 20th and the deadline for registering for those exams is April 13th and for additional information you can contact them at 518-402-8985 or visit the website at dec.ny.gov.

SUPERVISOR'S REPORT

1. I want to bring the Board up to date on an initiative that was just launched here Tuesday evening by the Warwick Valley Chamber of Commerce and this is an effort to brand the Warwick Valley area including all of our villages and hamlets as a tourist destination on a four season basis. They hired a marketing team Creative Visions to put together this effort. The Chamber itself has pledged \$20,000 of its resources and they were pitching individual businesses to pay \$250 each to raise an additional \$20,000 and take the \$40,000 and do a regional promotion effort for the Warwick Valley four seasons of activities getting people here to stay in the B&B's to enjoy the lakes, hiking and farmers activities; the Agra-tourism aspects. I thought it was a great initiative and they had a full room so that was good and hopefully it will launch and be well.
2. There will be a job fair sponsored by Congresswoman Nan Hayworth on March 26th from 9:00 a.m. until 3:00 p.m. at Anthony's Pier 9. If you know of anybody who is unemployed looking for work they are going to have about 50 different businesses located at Anthony's Pier 9 and you will be able to meet them face to face.
3. Another plug for the Warwick Valley Community Expo – It is going to be Saturday, March 31st from 10:00 a.m. to 3:30 p.m. at the Warwick Valley Middle School. This is an opportunity for residents to come in and meet their local businesses and put a face to the name of the business and learn what products they have. They are going to have exhibitor giveaways, they are going to have a presentation by Joanna Greenwald on bullying, they are going to have music by some of the student groups and a lot of good stuff. There's going to be things for kids to do too to keep them busy so if you can support that it would be great.
4. The Community Dinner that's been held over the last few months as a Gold Award by Warwick Girl Scout Victoria Garloch; the next one is this Friday night from 5:00 p.m. until 6:30 p.m. at the Pine Island School and the Warwick Rotary is going to be helping with the serving efforts that evening. If you can come out and support that and if there's any money raised it goes to the community farm workers in Pine Island who also were devastated by the flooding and this is a community dinner for them as well.
5. Monthly Budget Reviews - I have reviewed all the journal entries for this month and they were all in order and proper.
6. 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:

**#R2012-102 WAIVER OF SIGN PERMIT APPLICATION FEE – VISION
COMMUNITY CHURCH**

Motion Supervisor Sweeton, seconded Councilman Gerstner to adopt a resolution to waive the \$100.00 sign permit application fee for the Vision Community Church.

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

Discussion: Supervisor Sweeton stated that we've done this for other religious organizations and not-for-profits.

**#R2012-103 AUTHORIZATION TO SIGN 2011 SERVICE AWARD PROGRAM
CERTIFICATE – WARWICK COMMUNITY AMBULANCE
SERVICE**

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to authorize the Supervisor to sign the 2011 Service Award Program Certificate form for the Warwick Community Ambulance Service.

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

**#R2012-104 AUTHORIZATION TO SIGN 2011 SERVICE AWARD PROGRAM
CERTIFICATE – GREENWOOD LAKE AMBULANCE INC.**

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to authorize the Supervisor to sign the 2011 Service Award Program Certificate form for the Greenwood Lake Ambulance Inc.

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

**#R2012-105 RE-APPOINTMENT TO SHADE TREE COMMISSION – THOMAS
HAYES**

Motion Councilman Shuback, seconded Councilman Gerstner to adopt a resolution to re-appoint Thomas Hayes to the Shade Tree Commission for a three year term to expire March 22, 2015.

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

**#R2012-106 APPOINTMENT TO SHADE TREE COMMISSION – KAREN
EMMERICH**

Motion Councilman Kowal, seconded Councilman Gerstner to adopt a resolution to appoint Karen Emmerich to the Shade Tree Commission for a three year term to expire March 22, 2015.

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

**#R2012-107 AUTHORIZATION FOR WARWICK VALLEY PILOT'S
ASSOCIATION TO OBTAIN BUILDING PERMIT – THREE BAY
HANGER**

Motion Councilman DeAngelo, seconded Councilman Gerstner to adopt a resolution to authorize the Warwick Valley Pilot's Association to obtain a building permit for the erection of a three bay hanger consistent with the Warwick Municipal Airport Master Plan as revised.

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

**#R2012-108 RESOLUTION IN OPPOSITION OF CHARGE BACK ITEMS –
ORANGE COUNTY BOARD OF ELECTIONS**

Motion Councilman Kowal, seconded Councilman Gerstner to adopt the following resolution:

WHEREAS, the Town of Warwick hereby joins and wholeheartedly agrees that the Orange County Association of Towns, Villages, and Cities, once again, needs to strongly express their concerns regarding the increased number of charge back items that are again to be assessed upon the Towns, Villages, and Cities by the County of Orange, which due to increased expenditures by the Orange County Board of Elections, have resulted in a large increase in expenses being assessed upon the Towns, Villages and Cities, and

WHEREAS, there will be three (3), possibly four (4), Primary Elections that will be held during the year of 2012 resulting in an even higher amount of expenditures that will be charged back to the Towns, Villages and Cities, and

WHEREAS, this is another unfunded mandate into which the Towns, Villages and Cities have no input or oversight into the budgetary process that has resulted in a very significant increase in charge back items that we are expected to pay and that we at the Town, Village and City level can ill afford, and

WHEREAS, the Towns, Villages, and Cities are currently struggling to meet the demand for unfunded mandates from the State and Federal Governments mandates in their 2012 budgets, mandates that are already creating a hardship on our residents.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Warwick along with the Orange County Association of Towns, Villages and Cities does hereby lend strong voice in opposition to this increase in charge backs and do hereby prevail upon the Orange County Executive, the Orange County Legislature and the Orange County Board of Elections to remove these charge backs from assessments upon the Towns, Villages and Cities in the 2012 budget, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the Orange County Executive, Edward A. Diana, Chairman of the Orange County Legislature, Michael Pillmeier, Members of the Orange County Legislature and the Orange County Board of Elections.

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

#R2012-109 APPOINTMENT OF TOWN ENGINEER/CODE ENFORCEMENT OFFICER –TECTONIC ENGINEERING

Motion Councilman Gerstner, seconded Councilman DeAngelo to adopt a resolution to appoint Tectonic Engineering as Town Engineer/Code Enforcement Officer for the remainder of 2012 as per the 2012 rate schedule.
Motion Carried (5 ayes, 0 nays) Supervisor declared this resolution duly adopted.

#R2012-110 ESTABLISH LEAD AGENCY – TOWN OF WARWICK BUS GARAGE

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

WHEREAS, the Town of Warwick Town Board is considering action on a proposed Municipal Bus Garage facility to be constructed at the Town Hall complex located on Kings Highway near Ackerman Road, Town of Warwick, Orange County, New York, and

WHEREAS, an Environmental Assessment Form (EAF) dated March 20, 2012 has been prepared to address the 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 project is not within an agricultural district and, therefore, the requirements of 6 NYCRR 617.6(a) (6) do not apply, and

WHEREAS, after examining the EAF, the Town Board has determined that there are other involved and/or federal agencies on this matter, which have already addressed the potential environmental effects of the action under both NEPA and SEQR, and have concluded that there will be no significant adverse impacts associated with the action.

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.

Upon Roll Call Vote:

Supervisor Sweeton Aye

Councilman Gerstner Aye

Councilman Kowal Aye

Councilman Shuback Aye

Councilman DeAngelo Aye

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

**#R2012-111 DECLARE NEGATIVE DECLARATION (SEQR) – TOWN OF
WARWICK BUS GARAGE FACILITY**

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

WHEREAS, the Town of Warwick Town Board is the SEQR Lead Agency For conducting the environmental review of a proposed Town Bus Garage, Town of Warwick, Orange County, New York, and

WHEREAS, there are other involved agencies pursuant to SEQR, all of which have made or will make their own determinations of significance and

WHEREAS, the Town Board has reviewed an Environmental Assessment Form (EAF) for the action dated March 20, 2012, the probable environmental effects of the action, and has considered such impacts as disclosed in the EAF.

NOW THEREFORE BE IT RESOLVED, that the Town Board adopts the findings and conclusions relating to probable environmental effects contained within the attached EAF and Negative Declaration and authorizes the Supervisor to execute the EAF and file the Negative Declaration in accordance with the applicable provisions of law, and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to take such further steps as might be necessary to discharge the Lead Agency's responsibilities on this action.

Upon Roll Call Vote:

Supervisor Sweeton Aye

Councilman Gerstner Aye

Councilman Kowal Aye

Councilman Shuback Aye

Councilman DeAngelo Aye

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

Discussion: Supervisor Sweeton stated for informational purposes this was the Federal Highway Transportation Grant to build a building to house the dial-a-bus system funded by that federal grant and the County of Orange.

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

PRIVILEGE OF THE FLOOR (GENERAL)

No comments were made under the privilege of the floor by the Town Board or the public.

ADJOURN: Motion Councilman Shuback, seconded Councilman Gerstner that the regular meeting be adjourned. Motion Carried (5 ayes, 0 nays) 7:46 p.m.

03-23-12 cp.

Marjorie Quackenbush, Town Clerk